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CONSIDERATIONS

ON THE

PRINCIPAL EVENTS

OF

THE FRENCH REVOLUTION.

POSTHUMOUS WORK OF

THE BARONESS DE STAËL.

EDITED BY

THE DUKE DE BROGLIE, AND THE BARON DE STAËL.

Les Révolutions qui arrivent dans les grands états
ne sont point un effet du hazard, ni du caprice
de peuples. MEMOIRES DE SULLY.

TRANSLATED FROM THE ORIGINAL MANUSCRIPT.

IN THREE VOLUMES.

VOL. I.

LONDON;
PRINTED FOR BALDWIN, CRADOCK, AND JOY,
PATERNOSTER-ROW.

1818.

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NOTICE BY THE EDITORS.

IN executing the task which Madame de Staël has condescended to confide to us, it is our particular duty to make known the exact condition in which we found the manuscript entrusted to our care.

Madame de Staël had traced out for all her compositions a system of labour from which she never deviated. She sketched off at once the complete outline of the work of which she had previously conceived the plan, without referring back, without interrupting the course of her thoughts, unless it were to make researches which her subject rendered necessary. This first composition completed, Madame de Staël trans-

cribed it entire with her own hand; and then, not concerning herself with the correction of the style, she modified the expression of her ideas, classing them frequently in a new order. This second performance was then fairly copied out by a secretary, and it was only on this second copy, often even on the proofs of the printed sheets, that Madame de Staël completed the niceties of her diction; being more anxious to convey to her readers all the shades of her thoughts, all the emotions of her soul, than to attain that minute correctness, which may be acquired by mere mechanical labour.

Madame de Staël had completed, early in 1816, the composition of the Work we now present to the public. She had devoted a whole year to the revisal of the first two volumes, and a part of the third. She returned to Paris to complete those passages relating to recent events of which she had not been personally a witness, and upon which more precise inquiries might have the effect of modifying some of her

opinions. In short, the *Considerations on the Principal Events of the French Revolution* (for such is the title chosen by Madame de Staël herself), would have appeared at the conclusion of last year, if she, who constituted our glory and our happiness, had been preserved to us.

The first two volumes and several chapters of the third, were found in the state in which they were intended for the press. Some other chapters were transcribed, but not revised by the Author; but others were only composed in the outline, with marginal notes written or dictated by Madame de Staël, indicating the points on which she proposed to dilate.

The first feeling, as the first duty of her children, has been to evince the most sacred respect for the slightest indications of her thoughts; and it is almost superfluous to say that we have permitted ourselves to make not only no addition, but no change, and that the

Work about to be read is perfectly conformable to the corrected manuscript of Madame de Staël.

The labour of the Editors has been therefore confined entirely to the revisal of the proofs, and to the correction of those slight inaccuracies of style, which escape observation even in manuscripts the most carefully revised. This has been performed under the eye of M. A. W. de Schlegel, whose rare superiority of parts and knowledge justifies the confidence with which Madame de Staël consulted him in all her literary labours, as his most honourable character merits the esteem and friendship which she constantly entertained for him during an intimacy of thirteen years.

Mr. de Staël hereafter proposes to fulfil intentions, most sacred to him, in publishing a complete edition of the works of his mother, and of those of Mr. Necker. The works of Madame de Staël will comprise some

inedited compositions; amongst others, the fragments of a work begun under the title of "*Ten Years of Exile.*" A Biographical Notice will precede each collection; but a feeling, which those who knew Madame de Staël will appreciate with indulgence, has not yet permitted her children to commence an undertaking which comes so home to their dearest as to their most sorrowful recollections.

ADVERTISEMENT

OF

THE AUTHOR.

I BEGAN this Work with an intention of confining it to an examination of the political actions and writings of my father. But, as I advanced in my labour, I was led by the subject itself to trace, on one hand, the principal events of the French Revolution, and to present, on the other, a picture of England, as a justification of the opinion of M. Necker relative to the political institutions of that country. My plan being therefore enlarged, I judged it proper to alter the title, although I had not changed the object. Nevertheless, there will remain in this Work more details relative to my

father, and even to myself, than I should have inserted, if I had originally conceived it in a general point of view; but, perhaps, circumstances of a private nature are conducive to a clearer knowledge of the spirit and character of the times we are about to describe.

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CONSIDERATIONS

ON THE

PRINCIPAL EVENTS

OF

THE FRENCH REVOLUTION.

PART I.

CHAPTER I.

General Reflections.

THE revolution of France is one of the grand eras of social order. Those who consider it as the result of accidental causes have reflected neither on the past nor on the future; they have mistaken the actors for the drama; and, in seeking a solution agreeable to their prejudices, have attributed to the men of the day that which had been in a course of preparation for ages.

It would have sufficed, however, to cast a glance on the critical periods of history, to be convinced, that they were all unavoidable when

they were connected in any degree with the development of ideas; and that, after a struggle and misfortunes, more or less prolonged, the triumph of knowledge has always been favourable to the greatness and the amelioration of mankind.

My ambition shall be to speak of the age in which we have lived, as if it were already remote. It will belong to the enlightened part of mankind—to those who, in thought, can render themselves contemporary with future ages—to judge if I have been able to attain the complete impartiality at which I have aimed.

In this chapter I shall confine myself to some general remarks on the political progress of European civilization, restricting myself, however, to its connexion with the revolution of France; for it is to this subject, in itself sufficiently extensive, that this work is devoted.

The two nations of antiquity, whose literature and history still form the principal portion of our intellectual treasure, were indebted for their astonishing superiority entirely to the enjoyment of a free country. But slavery existed among them, and, consequently, those rights and those motives to emulation, which ought to be common to all men, were the exclusive lot of a few. The Greek and Roman nations disap-

peared from the world in consequence of what was barbarous, that is, of what was unjust, in their institutions. The vast regions of Asia are lost in despotism; and, for centuries past, whatever has remained there of civilization is stationary. Thus, then, the great historical revolution, whose results admit of application to the present state of modern nations, begins from the invasion by the northern tribes; for the public law of most countries in Europe is still founded on the law of conquest.

Nevertheless, that circle of men, who alone were allowed to consider themselves as such, was increased under the feudal system. The condition of the serfs was less hard than that of slaves; there were several methods of escaping from it, and from that time various classes have begun to emancipate themselves by degrees from the fate of the vanquished. It is to the gradual increase of this circle of society that our attention ought to be turned.

The absolute government of one is the worst form of political combinations. Aristocracy is less exceptionable, for in it several at least are of importance; and the moral dignity of man is recovered in the relation of the great lords with their chief. Social order, which admits all our fellow creatures to equality before the law,

as before God, is as much in harmony with the Christian religion, as with true liberty: both the one and the other, in different spheres, should follow the same principles.

Since the nations of the North and of Germany overthrew the Western Empire, the laws introduced by them have undergone a variety of modifications; for time, as Bacon says, is the greatest of innovators. It would be very difficult to fix with precision the dates of the successive changes; for, in tracing the leading facts, we find that one event encroaches on another. I think, however, that our attention may be fixed on four eras, in which these changes, previously announced, became particularly conspicuous.

The first political period was that in which the nobles, that is to say the conquerors, considered themselves as co-partners in the royal power of their chief, while the nation was divided amongst the different lords, who disposed of it as they pleased.

There was then neither education, industry, nor trade: landed property was almost the only kind known; and Charlemagne himself was occupied in his *capitularia* with the rural economy of the royal demesnes. The nobles went to war in person, leading their armed force: thus the so-

vereigns had no occasion to levy taxes, as they supported neither military nor civil establishments. Every thing demonstrates that, at this time, the great lords were very independent of kings; they maintained liberty for themselves, if indeed they can be free themselves who impose servitude on others. Hungary, in its present state, may convey an idea of this form of government, which must be allowed to possess grandeur for those who participate in it.

The *Champs-de-Mai*, so often referred to in the history of France, might be called the democratic government of the nobility, such as has existed in Poland. Feudality was established later. Hereditary succession to the crown, without which there can be no tranquillity in monarchies, was not regularly established until the third race of the kings of France: during the second, the nation, that is, the barons and clergy, chose a successor among the individuals of the reigning family. Primogeniture was happily recognized with the third race. But up to the consecration of Louis XVI. inclusively, the consent of the people has always been laid down as the basis of the rights of the sovereign to the throne.

There was already, under Charlemagne, something which bore a greater resemblance to the

English peerage than the institution of the *noblesse*, such as we have seen it in France for the last two centuries. I make this remark, however, without attaching much importance to it. Doubtless it were better that Reason in politics should be of ancient origin; but although she be but of yesterday, still we should bid her welcome.

The feudal system was much more advantageous to the nobles than the situation of courtiers to which royal despotism has condemned them. It is now merely a speculative question, whether mankind would be the gainers from the independence of one class only, or from the exercise of a gentle, but equal oppression upon all. We have only to remark that the nobles, in the time of their splendour, enjoyed a species of political independence, and that the absolute power of the kings has been established against them with the support of the people.

In the second political period, that of partial enfranchisements, the *bourgeois* of the towns laid claim to certain rights; for, when men unite together, they gain by their union, at least as much in wisdom as in power. The republics of Germany and Italy, the municipal privileges of the rest of Europe, date from this

time. The walls of each town afforded protection to its inhabitants. We still see, particularly in Italy, remarkable traces of those individual defences against the collective powers: castles multiplied in each domain; fortified palaces; in short, attempts ill-combined, but worthy of esteem, since they were all directed to increase the importance and energy of each citizen. It is impossible, nevertheless, to deny that these attempts of petty states to assure their independence, being *ill-regulated*, have often led to anarchy; but Venice, Genoa, the Lombard League, the Tuscan Republics, Switzerland, the Hanse Towns, established at this time their liberty on an honourable basis. The institutions of these republics have ever borne marks of the period in which they were established; and the rights of individual liberty, such as ensure the exercise and development of the faculties of every class of men, were not secured by them. Holland, become a republic at a later period, approached to the true principles of social order; an advantage for which she was more particularly indebted to the Reformation. The period of partial enfranchisements, of which I have treated, is no longer clearly to be traced, except in free towns and in the republics which have subsisted to the present day.

In the history of the great modern states therefore, only three eras, entirely distinct, ought to be admitted; the feudal system, despotism, and representative government.

For about five centuries, independence and the improvement of knowledge have been operating in every way and almost at random; yet regal power has constantly increased from different causes and by different means. Kings, having often much to apprehend from the arrogance of the nobles, sought support in a closer connexion with the people. Regular troops rendered the assistance of the nobles less requisite; the necessity of imposts, on the other hand, forced the sovereigns to have recourse to the commons; and, in order to obtain from them direct contributions, it was necessary to disengage them, more or less, from the influence of the barons. The revival of letters, the invention of the art of printing, the Reformation, the discovery of the new world, and the progress of commerce, taught mankind that a military power was not the only one which could possibly exist; and they have since learned that the profession of arms is not the exclusive privilege of birth.

In the middle age learning was exclusively confined to the priests, who, during the dark

ages, had rendered important services to mankind. But, when the clergy found themselves attacked by the Reformation, they opposed instead of promoting the progress of the human mind. The second class of society then took possession of the sciences and literature, the study of the law, and of commerce; and thus its importance daily increased. On the other hand states became more concentrated, the resources of government were increased; and kings, by availing themselves of the lower orders against the barons and the higher clergy, established their own despotism; that is, the union of the executive and legislative powers in the hands of one individual.

Louis XI. was the first who made a regular trial of this fatal system in France, and the inventor was truly worthy of the invention. Henry VIII. in England, Philip II. in Spain, Christian in the North, laboured, under different circumstances, upon the same plan. But Henry VIII. in preparing the Reformation became the involuntary instrument of conferring liberty on his country. Charles the Fifth might perhaps, for a time, have accomplished his project of universal monarchy, if, in spite of the fanaticism of his southern states, he had supported himself by the reforming spirit of the time, by ac-

cepting the confession of Augsburg. It is said that he had the intention, but this ray of his genius disappeared under the gloomy power of his son; and the stamp of the terrible reign of Philip II. still presses with all its force upon the Spanish nation:—there the Inquisition has undertaken to preserve the inheritance of despotism.

Christian II. attempted to render Sweden and Denmark subject to the same uncontrolled sway; but he was baffled by the independent spirit of the Swedes. The history of that people exhibits several periods similar to those that we have traced in other countries. Charles XI. struggled hard to triumph over the nobles by means of the people; but Sweden already possessed a constitution, in virtue of which the deputies of the citizens and peasantry composed the half of the Diet: they were sufficiently enlightened to know that privileges are to be relinquished only when rights are to be confirmed; and that an aristocracy, with all its faults, is less degrading than despotism.

The Danes have afforded the most scandalous political example which history records. In the year 1660, weary of the power of the nobles, they declared their king, not only sole legislator, and sovereign master of their lives and fortunes, but they invested him with every

power, except that of repealing the act which constituted him a despot; and, after completing this surrender of themselves, they added, that if the king of any other country possessed prerogatives beyond what they had conferred, they granted these to their monarchs in advance, and at all risks: yet this unexampled act was nothing more than an open avowal of what in other countries was proceeding with greater reserve. The Protestant religion, and still more the liberty of the press, have since created in Denmark a degree of independence, in point of thinking, which opposes a moral limit to the abuse of prerogative.

Russia, however different from the rest of Europe in its institutions and in its Asiatic manners, underwent, under Peter I. the second crisis of European monarchies, the humiliation of the nobles by the sovereign.

Europe should be summoned before the bar of Poland, for the long train of injuries of which that country had been the victim, until the reign of the Emperor Alexander. But, without dwelling at present on those troubles, which necessarily arose out of the unhappy coincidence of servitude on the part of the peasants, and lawless independence on that of the nobles;—out of a proud patriotic feeling on the one hand,

and an exposure, on the other, to the pernicious ascendency of foreign influence;—we shall be content with observing, that the constitution of 1792, that constitution for which Kosciusko so nobly fought, contained a number of equally wise and liberal provisions.

Germany, considered as a political body, still belongs, in several respects, to the earliest of the periods of modern history—that of the feudal system; although the spirit of the age has evidently penetrated through her antique institutions. France, Spain, and Britain have, all along, aimed at constituting each a political whole: Germany has maintained her subdivisions, from a spirit, partly of independence, partly of aristocratic feeling. The treaty of Westphalia, by acknowledging the Protestant religion throughout half the empire, brought in contact two parts of the same nation, who had been taught a mutual awe by their long warfare. This is not the place for enlarging on the political and military advantages that would have resulted from a closer union. Germany now possesses strength enough to maintain her national independence, without relinquishing her federal form; and the interest of enlightened men can never be conquest abroad, but liberty at home.

Poor rich Italy, having constantly been the

prey of foreigners, the progress of the human mind is traced with more difficulty in her history, than in that of the rest of Europe. Yet the second period, that of the enfranchisement of towns, which we have described as blending itself with the third, was marked more distinctly here than in other countries, because it gave rise to several republics, which claim our admiration, at least by the distinguished individuals whom they produced. Among the Italians arbitrary power has arisen only in consequence of political division; their situation, in this respect, is very different from that of the Germans. Every patriotic feeling in Italy ought to point to the union of its various states. Foreigners being incessantly brought among them by the attractions of the country, the Italians can never form a people without a national consolidation. It has hitherto been prevented by the influence of the papal government: not that the popes have been the partisans of foreigners; on the contrary, they would have wished to repel them; but, from their priestly character, they were incapable of defending the country, while at the same time they prevented any other power from undertaking it.

England is the only great European Empire that has yet attained what, in our present state

of political knowledge, appears the perfection of social order. The middling class, or, in other words, the nation (as elsewhere) co-operated with the Crown; under Henry VII. in reducing the influence of the nobles and clergy, and increased its own at their expense. But the nobility of England were, from the beginning, actuated by a more liberal spirit than the nobility of other countries; for so far back as *Magna Charta*, we find the barons making stipulations in behalf of the people. The revolutionary period of England may be said to have lasted nearly fifty years, if we reckon from the beginning of the civil wars under Charles I. to the accession of William III. in 1688; and the efforts of these fifty years had no other real and permanent object than the establishment of the existing constitution; that is, of the finest monument of justice and moral greatness existing in Europe.

The same movement in the minds of men which brought about the revolution in England, was the cause of that of France in 1789. Both belong to the third era in the progress of social order—the establishment of representative government—a point towards which the human mind is directing itself from all parts.

Let us now proceed to examine the circum-

stances peculiar to France—to a country the scene of those gigantic events, which in our days have been the source of so much hope and so much fear.

CHAPTER II.

Considerations on the History of France.

MEN are seldom familiar with any history but that of their own time; and in reading the declamations so frequent in our days, one would be led to think that the eight centuries of monarchical government which preceded the Revolution, had been ages of tranquillity; and that the French nation had reposed during that time on a bed of roses. We forget the burning of the Knights Templars, under Philip-le-Bel; the victories of the English, under the kings of the Valois race; the civil war of *La Jacquerie;* the assassination of the Duke of Orleans, and of the Duke of Burgundy; the treacherous cruelty of Louis XI.; the condemnation of the French Protestants to frightful punishments under Francis I., at the very time, too, when he was in alliance with their brethren in Germany; the horrors of the league, all surpassed by the massacre of St. Bartholomew; the conspiracies against Henry IV. and his assassination, that frightful act of the league; the scaffolds raised by the

arbitrary Richelieu; the military executions, long remembered under the name of *dragonnades;* the repeal of the edict of Nantes; the expulsion of the Protestants, and the war of the Cevennes, under Louis XIV.; and, finally, the less terrific, but not less important struggles of the parliaments under Louis XV.

Troubles without end have arisen in France to obtain what was considered to be liberty, at different periods, whether feudal, religious, or representative; and, if we except the reigns of those kings, who, like Francis I. and, above all, Louis XIV., possessed the dangerous art of occupying the nation by war, we shall not find, in the space of eight centuries, an interval of twenty-five years without a conflict of nobles against the sovereign, of peasants against nobles, of Protestants against Catholics, or finally, of parliaments against the court—all struggles to escape from that arbitrary power which forms the most insupportable of burdens. These civil commotions, as well as the violent measures adopted to stifle them, are an evidence that the French exerted themselves as much as the English to obtain that liberty confirmed by law, which alone can assure to a people peace, emulation, and prosperity.

It is of importance to repeat to those who

are the advocates of rights founded on the past, that it is liberty which is ancient, and despotism which is modern. In all the European states, founded at the commencement of the middle age, the power of the king was limited by that of the nobles. The Diets in Germany, in Sweden, in Denmark before its charter of servitude, the Parliaments in England, the Cortes in Spain, the intermediate bodies of all kinds in Italy, prove that the northern tribes brought with them institutions which confined the power to one class, but which were in no respect favourable to despotism. The Franks never acknowledged uncontrolled power in their chiefs; for it is incontrovertible that, under the first two races of their kings, all who had the right of a citizen, that is, the nobles, and the nobles were the Franks, participated in the government. "Every one knows," says M. de Boulainvilliers, who certainly was no philosopher, "that the French were a free people, who elected their chiefs, under the title of kings, to execute the laws which they themselves had enacted, or to command them in war; and, that they were very far from considering their kings as legislators, who could order every thing according to their pleasure. There remains no act of the first two races of the monarchy

which is not characterized by the consent of the general assemblies of the *Champs de Mars*, or *Champs de Mai*, and even no war was then undertaken without their approbation."

The third race of the kings of France was established on the principles of the feudal system; the two preceding races rested more on the law of conquest. The first princes of the third race styled themselves "kings, by the grace of God, and the consent of the people;" and the form of their coronation oath afterwards contained a promise to preserve the laws and rights of the nation. The kings of France, from St. Louis to Louis XI.* did not arrogate to themselves the right of making laws without the consent of the States General; but the disputes of the three orders, which could never agree together, obliged them to have recourse to the sovereigns as mediators; and the ministers of the crown did not fail to profit by this necessity either to avoid the convocation of the States General, or to render their deliberations ineffectual. At the time of the invasion of France by Edward III. of England, that prince declared, in his proclamation, that he "came to restore to the French the rights of which they had been deprived."

* From 1270 to 1461.

The four best kings of France, Saint Louis (Louis IX.) Charles V. Louis XII. and above all Henry IV. endeavoured to establish the empire of the laws, each according to the prevailing ideas of his age. The Crusades prevented Louis IX. from devoting his whole time to the welfare of his subjects. The war with England, and the captivity of John, absorbed those resources which would have been turned to account by the wisdom of his son Charles V. The unfortunate invasion of Italy, ill begun by Charles VIII. and ill continued by Louis XII. deprived France of a part of the advantages which the latter intended for her: and the League, the atrocious League, composed of foreigners and fanatics, bereaved the world of Henry IV. the best of men, and the greatest and most enlightened prince that France ever produced. Yet in spite of the singular obstacles which obstructed the progress of these four sovereigns, far superior to all the others, they were occupied during their reigns in acknowledging the existence of rights which limited their own.

Louis IX. continued the enfranchising of the boroughs, begun by Louis le Gros; he made laws for the independence and regular attendance of the judges; and, what deserves to be

recorded, when chosen by the English barons to arbitrate between them and their king Henry III. he censured the rebel lords, but declared, that their prince ought to be faithful to the charter for which he had pledged his oath. Could any other conduct be expected from him who consented to remain prisoner in Africa rather than break his oaths. "I would rather," said he, "that a foreigner from the extremest point of Europe, even from Scotland, should obtain the throne of France, than my son, if he is not to be wise and good." Charles V. when only regent, convoked in 1355 the States General, and that assembly proved the most remarkable in the history of France, for the demands which they made in favour of the people. The same Charles V., after succeeding to the throne, convoked that assembly in 1369, to obtain their sanction to the *gabelles*, or salt tax, then imposed for the first time; he granted a power to the inhabitants of Paris to become the purchasers of fiefs. But, as English troops were in possession of a considerable part of the kingdom, his first object was to expel them, and the hardship of his situation caused him to levy certain imposts without the consent of the States. But, at his dying hour, this prince declared that he regretted the act, and acknowledged that he had gone beyond his powers.

The continuance of intestine troubles, and of invasions from England, threw for a long time the most serious difficulties in the way of political improvement. Charles VII. was the first who kept on foot a standing force—a fatal era in the history of nations! Louis XI. whose name recalls the same impressions as those of Tiberius or Nero, attempted to invest himself with absolute power. He made a certain progress in that track which Cardinal Richelieu afterwards knew so well how to follow; but he encountered a spirited opposition from his parliaments. These bodies have in general laboured to give consistence to the laws in France, and their records scarcely exhibit a remonstrance in which they do not remind the kings of their engagements with the nation. But Louis XI. was far from considering himself an unlimited ruler; and, in the instructions which he dictated on his death-bed to his son Charles VIII., he said, "When kings or princes cease to respect the laws, they bring their people to servitude, and strip themselves of the name of king; for he only is king who reigns over freemen. It is the nature of freemen to love their rulers; but men in servitude must hate them, as a slave hates his oppressor." So true is it, that, in a testamentary disposition at least, even tyrants cannot refrain from affixing a stigma upon despotism.

Louis XII. surnamed the "father of his people," submitted to the decision of the States General the marriage of his daughter Claude, with the Count of Angoulême (afterwards Francis I.), and the nomination of that prince as his successor. It was impolitic in Louis to continue the war in Italy; but as he lessened the pressure of taxation by the regularity introduced in his finances, and as he sold his own demesnes to provide a fund for the public wants, the people suffered less from the expense of foreign war than they would have done under any other prince. In the council assembled at Tours, the clergy of France made, at his desire, a declaration, "that they did not owe implicit obedience to the see of Rome." And when certain comedians presumed to act a play in ridicule of the king's meritórious parsimony, he would not allow them to be punished, but made use of these remarkable words, "These men may teach us some useful truths; let them proceed in their amusement so long as they respect female honour. I shall not regret its being known that, under my reign, they took this liberty with impunity." Do not these words amount to an acknowledgment of the liberty of the press in all its extent? For in these days the publicity of a theatrical perform-

ance was much greater than the publicity of a printed work. Never did a truly virtuous prince find himself in the possession of sovereign power without desiring rather to moderate his own authority than encroach on the rights of the people. Every enlightened king has a wish to limit the power of his ministers and his successors. A spirit of liberality, according to the nature of the age, must find its way to all public men of the first rank by the influence either of reason or of feeling.

The early part of the sixteenth century witnessed the progress of the Reformation in the most enlightened states of Europe: in Germany, in England, and, soon after, in France. Far from concealing that liberty of conscience is closely linked to political liberty, the Protestants ought, in my opinion, to make a boast of the alliance. They always have been, and always will be, friends of liberty; the spirit of inquiry in religious points leads necessarily to the representative form in politics. The proscription of Reason is always conducive to despotism, and always subservient to hypocrisy.

France was on the point of adopting the Reformation at the time that it was established in England; the principal nobility of the country, Condé, Coligni, Rohan, and Lesdiguieres, pro-

fessed the Protestant faith. The Spaniards, guided by the diabolical spirit of Philip II. supported the League in France in conjunction with Catherine of Medicis. A woman of her character must have desired boundless command, and Philip II. wanted to make his daughter queen of France, to the exclusion of Henry IV.—a proof that despotism does not always respect legitimacy. In the interval from 1562 to 1589, the parliaments refused their sanction to a hundred royal edicts; yet the Chancellor de l'Hopital found a greater disposition to support religious toleration in such of the States General as he could get together, than in the parliament. This body of magistracy, like all corporate establishments, firm in the maintenance of ancient rights, did not participate in the improved views of the age. None but deputies elected by the nation can enter into all its wants and desires at every different period.

Henry IV., after being long the head of the Protestants, found himself at last obliged to yield to the prevailing opinion, notwithstanding its being that of his adversaries. Such however was the wisdom and magnanimity of his sway, that the impression of that short reign is, at the present day, more fresh in the hearts of Frenchmen than that of the two centuries which have since elapsed.

The edict of Nantes, promulgated in 1598, founded that religious toleration, the struggle for which is not yet at a close. This edict opposed a potent barrier to arbitrary power; for when a government is obliged to keep the balance even between two rival parties, it can do so only by a continued exercise of reason and justice. Besides, how could such a character as Henry IV. have been ambitious of uncontrolled dominion? he who had taken up arms against the tyranny of Medicis and Guise;—he who had fought to deliver his country from them;—he whose generous nature was so much more gratified by the free gift of admiration, than by a servile obedience. Sully brought his finances into a state which might have rendered the royal authority entirely independent of the people, but Henry did not make this culpable use of the virtue of economy. He convoked the Assembly of the *Notables* at Rouen, and declared that the elections should be wholly uninfluenced by the Crown. The civil commotions were still recent, and he might have availed himself of them as a pretext for absorbing all power in his own hands; but true liberty carries with it the most effectual remedy for anarchy. Every Frenchman knows by heart the noble expressions of Henry, on opening the assembly.

His conduct was in conformity with his declaration; he acquiesced in their demands, however imperious, because he had given his promise to comply with the desires of the delegates of the people. Finally, in his caution against flattery, expressed to Matthieu, the writer of his history, he gave a proof of the same solicitude for the dissemination of truth, which had been already shown by Louis XII.

In the age of Henry IV. religious liberty was the only object which occupied the public mind; he flattered himself with having ensured it by the edict of Nantes; but that edict owed its origin to him personally, and might be overthrown by a successor. How strange that Grotius, in one of his works published in the reign of Louis XIII. should have predicted that the edict of Nantes, being a royal concession and not a mutual compact, a succeeding sovereign might take on him to annul the work of Henry IV. Had that great prince lived in our days, he would not have allowed the boon conferred on France to rest on a foundation so precarious as his life; he would have strengthened, by the aid of political guarantees, that toleration, of which, after his death, France was so cruelly deprived.

Henry is said to have conceived, shortly be-

fore his death, the grand idea of consolidating the independence of the different states of Europe by a Congress. Be this as it may, his principal object certainly was to support the Protestants in Germany; and the fanaticism which led to his assassination was not mistaken in regard to his intentions.

Thus fell the king the most truly French who ever reigned over France. Often have our sovereigns derived a tinge of foreign habits from their maternal parentage; but Henry IV. was in every respect the countryman of his subjects. When Louis XIII. evinced that he inherited the habit of dissimulation from his Italian mother, the people no longer recognized the blood of the father in the son. Who would have thought it possible that Madame d'Ancre could have been burned on a charge of sorcery in the presence of that nation who, twenty years before, had received the edict of Nantes with applause? There are eras in history when the course of national feeling is dependant on a single man—but unfortunate are such times, for nothing durable can be accomplished without the impulse of general concurrence.

Cardinal Richelieu aimed at oversetting the independence of the great nobles, and induced them to reside at Paris that he might convert

the lords of the provinces into courtiers. Louis XI. had formed the same plan; but in his days the capital offered few attractions in point of society, and the court still fewer. Several men of rare talents and high spirit, such as d'Ossat, Mornay, Sully, had become conspicuous under Henry IV.; but after his time, we look in vain for those chivalrous characters whose names form still the heroic traditions of the history of France. The despotic sway of Cardinal Richelieu destroyed entirely the originality of the French character—its loyalty, its candour, its independence. That priestly minister has been the object of much encomium, because he upheld the political greatness of France, and in this respect we cannot deny his superior talents; but Henry IV. accomplished the same object by governing in the spirit of truth and justice. Superiority of mind is displayed not only in the triumph obtained, but in the means employed to accomplish it. The degree of moral degradation impressed on a people whom we accustom to injustice will, sooner or later, counterbalance by its pernicious influence the effect of temporary success.

Cardinal Richelieu caused a poor innocent curate of the name of Urbain Grandier to be burned on a charge of sorcery, and thus yielded

a mean and perfidious acquiescence to that blind superstition from which he was personally exempt. He confined, in his own country house at Ruelle, Marshal de Marillac, whom he hated, that he might with greater certainty be sentenced to death under his own eyes. M. de Thou was brought to the scaffold because he had not denounced his friend. No political crime was legally judged under the ministry of Cardinal Richelieu, and special commissions were always nominated to decide the fate of the victims. And yet the memory of this man has been applauded even in our days! He died indeed in the fulness of power; a contingency of the first importance to those tyrannical rulers who hope to have a great name in history. The French may in several respects consider this cardinal as a foreigner; his clerical profession, and his Italian education, form a line of separation from the true French character. The magnitude of his influence admits thus of a more easy explanation, for history affords various examples of foreigners who have ruled over Frenchmen. That nation has, in general, too much vivacity to counteract the perseverance which is necessary to arrive at arbitrary power; and the man who possesses this perseverance is doubly formidable in a country where, law

having never been properly established, the people judge of things only by the event.

Cardinal Richelieu, by inducing the grandees to live in Paris, deprived them of their weight in the country, and created that influence of the capital over the rest of France which has never ceased since that day. A court has naturally much ascendancy over the city where it resides, and nothing can be more convenient than to govern an empire by means of a small assemblage of men; I mean convenient for the purposes of despotism.

Many persons are of opinion that Richelieu laid the foundation of the wonders of the age of Louis XIV. an age which has been often compared to those of Pericles and Augustus. But periods similar to these brilliant eras are found in the histories of several nations under different combinations of circumstances,—at the moment when literature and the fine arts appear for the first time,—after a long continuance of war—or after the close of civil dissensions. The great *phases* of the human mind are much less the work of an individual than of the age; for they are all found to bear a resemblance to each other, however different may be the character of the contemporary chiefs.

After the death of Richelieu, and during the

minority of Louis XIV. we find some serious political views intermixed with the general frivolity of the days of the *Fronde*. We find for instance parliament demanding of the Crown that no subject of the realm should be liable to imprisonment without being brought before his natural judges. There was also an attempt made to limit the power of ministers, and the odium against Mazarine might perhaps have led to the acquisition of a certain degree of liberty; but the time soon came when Louis XIV. displayed the manners of a court in all their dangerous splendour; flattering the pride of his subjects by the success of his armies, and repelling, by his Spanish gravity, that familiarity which would presume to pass judgment on him. But he made the nobles descend still lower than in the preceding reign; for under Richelieu they were at least important enough to be persecuted, while under Louis XIV. they were distinguished from the rest of the nation only by bearing the yoke nearer the presence of their master.

This king, who thought that the property of his subjects was his own, and who committed arbitrary acts of all descriptions; in short, he who (can we venture to say it, and is it possible to forget it) came, whip in hand, to

prohibit, as an offence, the exercise of the slender remnant of national right—a remonstrance by parliament; this king felt respect for no one but himself, and was never able to conceive what a nation is and ought to be. All the errors that he has been charged with were the natural result of that superstitious idea of his power, in which he had been nurtured from his infancy. How can despotism fail to produce flattery; and how can flattery do otherwise than pervert the ideas of every human being who is exposed to it? What man of talents has ever been heard to utter the hundredth part of the praises lavished on the weakest princes?—and yet these princes, for the very reason that they deserve not those praises, are the more easily intoxicated by them.

Had Louis XIV. been a private individual, he would probably never have been noticed, as he possessed no transcendent talents; but he perfectly understood the assumption of that artificial dignity which imposes an unpleasant awe on the mind of others. Henry IV. was in the habit of familiar intercourse with his subjects, from the highest to the lowest: Louis XIV. was the founder of that extreme etiquette which removed the kings of his family, in France as well as in Spain, from a free and

natural intercourse with their subjects: he was in consequence a stranger to their feelings whenever public affairs assumed a threatening aspect. One minister (Louvois) engaged him in a sanguinary contest, from having been vexed by him about the windows of a *château;* and, of the sixty-eight years of his reign, Louis XIV. without possessing the slightest portion of military talent, passed fifty-six in a state of war. It was under him that the Palatinate was desolated, and that atrocious executions took place in Brittany. The expulsion of 200,000 Protestants from France, the *dragonnades*, and the war of the Cevennes, are yet not equal to the cold-blooded horrors to be found in the various *ordonnances* passed after the repeal of the edict of Nantes, in 1685. The code enacted at that time against the Protestants may be, in all respects, compared to the laws of the Convention against the emigrants, and bears the same characteristics. The enjoyment of civil rights was refused to them; for their children were not legitimate, in the eye of the law, until the year 1787, when the Assembly of Notables obtained that point from the justice of Louis XVI. Not only was their property confiscated, but it was bestowed on those who informed against them; and their children were forcibly taken from

them to be educated in the Catholic faith. Persons officiating as Protestant clergymen, or those who incurred the charge of "relapsing" into heresy, were liable to be sent to the galleys, or to the scaffold; and, as it had been at last declared by authority that there were no more Protestants in France, it was easy to consider any of them as relapsed, when there was an object in such treatment.

Injustice of every kind marked that reign of Louis XIV. which has been the object of so many fulsome effusions; and no one remonstrated against the abuses of that authority which was itself a continual abuse. Fenelon alone dared to raise his voice against it, and an appeal from him is conclusive in the eyes of posterity. Besides, this king, who was so scrupulous in regard to the dogmas of religion, was very different in point of morals; and it was only in the day of adversity that he displayed any real virtues. We have no sympathy with him until he was forsaken by fortune; his soul at that time displayed its native grandeur.

Every body praises the beautiful edifices erected by Louis XIV.; but we know, by experience, that in countries where the national representatives do not control the public expenditure, it is easy to have money for any purpose.

The pyramids of Memphis cost more labour than the embellishments of Paris; yet the despots of Egypt found no difficulty in employing their slaves on these stupendous erections.

Had Louis XIV. the merit of drawing forth the great writers of his age? He persecuted the seminary of Port Royal, of which Pascal was the head; he made Racine die of grief; he exiled Fenelon; he opposed the honours which others were desirous of conferring on La Fontaine; and confined his admiration to Boileau alone. Literature, in extolling him to the skies, has done much more for him than he had done for her. Pensions granted to a few men of letters will never have much influence over men of real talents: Genius aims only at fame, and fame is the offspring of public opinion alone.

Literature shone with equal lustre in the succeeding age, although it had a more philosophic tendency; but that tendency began not until the latter part of the reign of Louis XIV. A reign of more than sixty years was the cause of giving his name to the age; but the mental labours of the period had no connexion with him; and, if we except Bossuet, who, unfortunately for us and for himself, allowed his talents to be subservient to fanaticism and des-

potism, almost all the writers of the seventeenth century made very striking advancement in that path in which those of the eighteenth have made such progress. Fenelon, the most respectable of men, showed himself, in one of his works, capable of appreciating the excellence of the English constitution, only a few years after its establishment; and, towards the end of Louis XIV.'s reign, the human mind was visibly advancing in all directions.

Louis XIV. extended France by the conquests of his generals; and, as a certain extent of territory is necessary to the independence of a country, he had, in this respect, a title to the national gratitude. But he left the interior of the country in a state of disorder, which continued, not only during the regency, but during the reign of Louis XV. At the death of Henry IV. the finances, and all the branches of administration, were left in the most perfect order, and France maintained herself for a number of years merely by the strength which she owed to him. At the death of Louis XIV. the finances were exhausted to such a degree as not to admit of reinstatement until the accession of Louis XVI. The people insulted the funeral procession of Louis XIV. and the parliament cancelled his will. The

blind superstition under which he had bent in his latter years, had so wearied the public, that even the licentious practices of the regency were excused, as forming a relief to the burden of an intolerant court. Compare the death of Louis with that of Henry IV.—of him who was so unaffected although a sovereign, so mild although a warrior, so intelligent, so cheerful, so wise—of him who knew so well that to cultivate familiarity with men is the means, when one is truly great, of rising in their esteem, that every Frenchman seemed to feel at his heart the stroke of the poignard which cut short his splendid life.

We ought never to form an opinion of absolute princes by those temporary successes which proceed frequently from the intense exercise of their authority. It is the condition in which they leave their country at their death, or at their fall; it is the part of their reign which survives them, that discloses their real character. The political ascendancy of the nobles and the clergy ended in France with Louis XIV.; he had made them mere instruments of his power; at his death they found themselves without a connecting link with the people, whose political importance was increasing every day.

Louis XV. or, to speak more properly, his

ministers, were in a state of perpetual contention with the parliaments, who acquired popularity by refusing their sanction to taxes: these parliaments belonged to the *tiers-etat*, at least in a great degree. The writers of the age, who belonged likewise to the middle ranks of society, conquered by their talents that liberty of the press which was not accorded by statute. The example of England acquired more and more influence on the public mind; and people were at a loss to comprehend that a narrow channel of only seven leagues sufficed to separate a country, where the people were every thing, from one, in which they were nothing.

Public opinion and public credit, which is nothing more than public opinion applied to financial questions, became daily more essential to government. The monied interest have more influence in this respect than the great landholders themselves, and the monied men live in Paris, where they are in the habit of discussing freely all the public questions which affect their calculations.

The weak character of Louis XV., and the endless errors resulting from that character, naturally strengthened the spirit of resistance. People saw on the one hand a Chatham at the head of England, surrounded by parliamentary

speakers of talent, all ready to acknowledge his pre-eminence, while, in France, the meanest of the royal mistresses obtained the appointment and removal of ministers. Public spirit was the ruling principle in England; accident and miserable intrigues decided the fate of France. Yet Voltaire, Montesquieu, Rousseau, Buffon, profound thinkers and superior writers, belonged to the country that was thus governed; and how could the French avoid envying England, when they might say with truth, that it was to her political institutions that she owed her superiority? For they saw among themselves as many men of talent as their neighbours, although the nature of their government prevented them from turning these talents to so much account.

It has been justly said by a man of ability, that the literature of the age is an expression of the feelings of society: if that be true, the censures cast on the writers of the eighteenth century ought to be pointed at the society in which they lived. The writers of that day were not desirous of flattering government; therefore they must have aimed at pleasing the public; for the majority of literary men must follow one or other of these paths: they stand too much in need of encouragement to bid defiance to both go-

vernment and the public. The majority of the French in the eighteenth century began to desire the suppression of feudal rights, the imitation of the institutions of England, and above all, toleration in religion. The influence of the clergy in temporal matters was generally revolting; and, as the spirit of true religion is foreign to intrigue and political ambition, all confidence was withdrawn from those who made use of it as an instrument for temporal purposes.

Several writers, above all Voltaire, were highly reprehensible in not respecting Christianity, when they attacked superstition; but some allowance is to be made on account of the circumstances under which Voltaire lived. He was born in the latter part of the age of Louis XIV.; and the atrocious injustice inflicted on the Protestants had impressed his imagination from his earliest years. The antiquated superstition of Cardinal Fleuri, the ridiculous contests between the Parliament and the archbishop of Paris in regard to *billets de confession*, the *convulsionnaires*, the Jansenists and Jesuists; all puerile in themselves, but capable of leading to the effusion of blood, naturally impressed Voltaire with the dread of the renewal of religious persecution. The

trials of Calas, of Sirven, of the Chevalier de la Barre, &c. confirmed him in this impression, and the existing laws against the Protestants were still allowed to remain in the barbarous state in which they had been plunged after the repeal of the Edict of Nantes.

I must not, however, be understood as attempting the justification of Voltaire, or of the writers of the age who followed his steps; but it must be admitted that irritable dispositions (and all men of talents are irritable) feel almost always a desire to attack the stronger party: it is in such attacks only that we recognize the impulse of a bold and ardent mind.

In the Revolution we have been exposed only to the evils of unbelief, and to the atrocious violence with which it was propagated; but let us not forget that the generous feeling which kindled at the proscriptions of the clergy in the end of the eighteenth century, would have inspired, fifty years before, a spirit of opposition to their intolerance. Both actions and writings should be estimated according to the time of their occurrence.

We shall treat elsewhere the great question of the state of national feeling in France on the subject of religion. In regard to this, as in regard to politics, we must beware of bring-

ing charges against a population of twenty-five millions, for that would be little else than quarrelling with mankind at large. Let us examine how it has happened that this nation has not been moulded according to the will of some individuals, by ancient usages, which certainly lasted a sufficient time to exercise their influence. Let us examine also what sentiments are at present in harmony with the hearts of men; for the sacred fire is not and never will be extinct; but it can re-appear only by the full light of truth.

CHAPTER III.

On the State of public Opinion in France at the Accession of Louis XVI.

THERE is extant a letter of Louis XV. to the Duchess of Choiseul, in which he says: "I have had a great deal of trouble with the parliaments during my reign; but let my grandson be cautious of them, for they may put his crown in danger." In fact, in following the course of events during the eighteenth century, we easily perceive that it was the aristocratic bodies in France who first attacked the royal prerogative; not from any intention of overturning the throne, but from being pressed forward by public opinion, which acts on men without their knowing it, and often leads them on in contradiction to their interest. Louis XV. bequeathed to his successor a general spirit of discontent among his subjects, the necessary consequence of his endless errors. The finances had been kept up only by bankrupt expedients: the quarrels of the Jesuits and Jansenists had brought the clergy into disrepute. Banish-

ments and imprisonments, incessantly repeated, had failed in subduing the opposition of the parliament, and it had been necessary to substitute for that body, whose resistance was supported by public opinion, a magistracy without respectability, and under the presidency of a disreputable chancellor, M. de Maupeou. The nobility, so submissive under Louis XIV. now took part in the general discontent. The great lords, and even the princes of the blood, showed attention to M. de Choiseul, exiled on account of his resistance to the despicable ascendancy of a royal mistress. Modifications of the political organisation were desired by all orders of the state; and never had the evils of arbitrary power been more severely felt than under a reign, which, without being tyrannical, presented a perpetual succession of inconsistencies. No course of reasoning can so fully demonstrate the misery of depending on a government, which is influenced in the first instance by mistresses, and afterwards by favourites and relations of mistresses, down to the lowest class of society. A process against the existing state of things in France commenced under Louis XV. in the most regular form before the eyes of the public; and whatever might be the virtues of the

next sovereign, it would have been difficult for him to alter the opinion of reflecting men, that France should be relieved by fixed institutions from the hazards attending hereditary succession. The more conducive hereditary succession is to the public welfare, the more necessary it is that the stability of law, under a representative government, should preserve a nation from the political changes which would otherwise be the unavoidable results of the different character of each king, and still more of each minister.

Certainly if it were necessary to commit the fate of a nation to the will of a sovereign, Louis XVI. merited more than any man that which can be merited by no man. But there was reason to hope that a prince, so scrupulously conscientious, would feel a pleasure in associating the nation in some way or other with himself in the management of public affairs. Such would doubtless have been all along his wish, if, on the one hand, the opposition had begun in a more respectful form, and if, on the other, there had not existed at court certain impressions arising from the writings of those, who, in every age, have been desirous to make kings consider their authority as sacred as their creed. The opponents of philosophic views

endeavour to invest despotism with all the sacredness of a religious dogma, that they may escape the necessity of reasoning on the subject; the most effectual way certainly to avoid it.

The queen, Marie Antoinette, was one of the most amiable and gracious persons who ever filled a throne: there was no reason why she should not preserve the love of the French, for she had done nothing to forfeit it. As far, therefore, as personal qualities went, the king and queen might claim the hearts of their subjects; but the arbitrary form of the government, as successive ages had moulded it, accorded so ill with the spirit of the times, that even the virtues of the sovereigns were overlooked amid the accumulation of abuses. When a nation feels the want of political reform, the personal character of the monarch is but a feeble barrier against the impulse. A sad fatality placed the reign of Louis XVI. in an era in which great talents and profound knowledge were necessary to contend with the prevailing spirit, or, what would have been better, to make a fair compromise with it.

The aristocratic party, that is, the privileged classes, are persuaded that a king of a firmer cast of character might have prevented

the Revolution. These men forget that it was from their ranks that the first attacks were directed, and directed with courage and reason, against the royal prerogative; attacks which proved successful because supported by public feeling. Have they any right to complain that, after having proved too strong for the crown, they should have proved too weak for the people. Such ought to be the result.

We cannot too often repeat that the last years of Louis XV. had brought the government into disrepute; and, unless a military prince had sprung up to direct the minds of the French to foreign conquest, nothing could have diverted the various classes of the community from the important claims which all considered they had a right to urge. The Nobles were tired of acting the subordinate part of courtiers; the higher clergy were eager for a still larger share in the management of public affairs; the parliaments had too much, and too little, political weight to remain in the passive attitude of judges; and the nation at large, which comprised the learned professions, the merchants, the capitalists, a great number of landholders, and of persons in public employments, made an indignant comparison between the government of England, where exertion and ability were the

paths to power, and that of France, where all depended on favour or on birth. Thus then every word and every action, every virtue and every passion, every feeling and every vanity, the public mind and the fashion of the day, tended alike to this object.

It is idle to speak with contempt of the national spirit of the French: whatever they wish, they wish strongly. Had Louis XVI. been a man of talent, he would have put himself at the head of the revolution, say some: he would have prevented it, say others. But what purpose is served by such suppositions? for talent cannot be hereditary in any family, and that government which has nothing but the ability of its chief to oppose to the concurrent wishes of the people, must be in incessant danger of falling. Faults, it is true, may be found in the conduct of Louis XVI., whether he be blamed by some for an unskilful defence of his unlimited prerogative, or accused by others of not embracing with sincerity the improved views of the age: but these faults were so interwoven with the course of circumstances, that they could hardly fail to be renewed almost as often as the same combinations occurred.

The first choice of a prime minister made by Louis XVI. was M. de Maurepas. This veteran

courtier was certainly any thing but an innovating philosopher. During forty years of exile, he had never ceased to regret that he had not been able to prevent his loss of place. He had incurred this loss by no act of courage; for the failure of a political intrigue was the only recollection that he had carried into his retirement, and he came back with as frivolous notions as if he had never quitted a court, which was the only object of his thought. Respect for advanced years, a feeling very honourable in a young king, was the inducement with Louis to fix on M. de Maurepas.

To this man even the terms which designate the progress of information, or the rights of the people was unknown; yet so strongly, although unconsciously, was he led on by public opinion, that his first advice to the king was the recall of the ancient parliaments, dissolved for opposing the abuses of the preceding reign. But these parliaments, more impressed with their own importance by their recall, constantly opposed ministers, and continued to do so until they saw that their own political existence was endangered by the ferment, which they had been instrumental in exciting.

Two ministers of distinguished merit, M. de Turgot and M. de Malesherbes, were likewise

appointed by Maurepas, who certainly had not a single idea in common with them; but their popularity called them to distinguished stations, and public opinion was obeyed in this point likewise, although not enforced by the medium of regular representatives.

Malesherbes was desirous of the revival of the edict of Henry IV. in favour of the Protestants, the abolition of *lettres de cachet*, and the suppression of the censorship which destroyed the liberty of the press. Such were the principles supported more than forty years ago by M. de Malesherbes; and had they been then adopted, the way would have been paved by wisdom, to that point which has since been obtained by violence.

M. Turgot, a minister equally humane and equally intelligent with Malesherbes, abolished the *corvée*, or compulsory labour of the peasants for the service of their lords; proposed that, with regard to taxes, there should be no difference between one province and another; and advanced courageously the opinion that the clergy and *noblesse* should pay taxes in the same proportion as the rest of the nation. Nothing could be more equitable and popular than the proposal, but it gave offence to the upper ranks, and Turgot was sacrificed to them. He was of a

systematic and inflexible disposition, while Malesherbes was yielding and conciliating. Yet both these generous citizens, alike in opinion, though different in demeanour, experienced the same fate; and the king, who had called them to office, in a short time dismissed the one, and discouraged the other; at a moment too when the nation was most strongly attached to the principles of their administration.

It was certainly bad policy to excite the expectations of the public by a good choice, and to follow this up by disappointment; but Maurepas appointed or removed ministers in compliance with the prevailing language at court. His plan of governing consisted in influencing the mind of the sovereign, and in satisfying those who stood immediately around him. General views of any kind were quite foreign to him; he knew only the obvious truth, that money is indispensable to carry on the movement of the political machine, and that the parliaments became daily more difficult to manage in regard to new taxes.

Doubtless, what in France was then the constitution, that is, the authority of the King, overturned all barriers, since it silenced, whenever it thought proper, the opposition of parliament by a *lit de justice*. The government of

France has been always arbitrary, and, at times, despotic; but it now became prudent to economise the use of this depotism, as of other resources; for appearances indicated that it would be soon expended.

Taxes, and that credit which can accomplish in one day as great an effort as taxation in a twelvemonth, were now become so necessary to France, that whatever stood in their way was a primary object of apprehension. In England the House of Commons has been frequently known to join a bill relative to the national rights to their pecuniary grants. In France a similar course was attempted by those judiciary assemblies: when desired to register a new tax, they (although aware that the Crown could compel the registry) frequently accompanied their acquiescence, or refusal, with remonstrances on the conduct of ministers, taking care to dwell on matters that gave them the support of public opinion. This new power was daily on the increase, and the nation was advancing along the path of liberty by its own exertions. So long as the privileged classes were the only persons of importance, the country might be governed, like a court, by a skilful management of the passions or interests of a few individuals; but no sooner had the mid-

dling ranks, the most numerous and most active of all, become aware of their importance, than the knowledge and the adoption of a wider range of policy became indispensable.

From the time that battles ceased to be fought by the followers of the great vassals, and that the kings of France required a revenue to maintain their army, the disorder of the finances has always been the source of the troubles of the kingdom. Towards the end of the reign of Louis XV. the parliament of Paris began to declare that it was not empowered to vote away the public money, and their conduct was applauded by the people; but all returned to the quiet and obedience to which the French had been so long accustomed, as soon as the machine of government rolled on without fresh demands on any public body which could believe itself independent of the throne. The want of money was thus evidently the greatest source of danger to the royal prerogative, under the existing circumstances; and it was with this conviction that M. de Maurepas proposed to put M. Necker at the head of the Treasury.

A foreigner and a Protestant, M. Necker was quite out of the ordinary line of election to the cabinet; but he had shown so much financial ability in the affairs of the East India

Company, of which he was a member; in mercantile business on his own account, which he had carried on for twenty years; in his writings, and, finally, in the different transactions which he had had with the ministers, from the time of the Duc de Choiseul down to 1776, when he was appointed, that M. de Maurepas made choice of him only to produce an influx of money into the treasury. But M. de Maurepas had not reflected on the connexion between public credit and the important measures of administration; and he imagined that M. Necker might re-establish the credit of the state by fortunate speculations, in the same way as that of a banking house. Could any thing be more superficial than this mode of reasoning on the finances of a great empire? The revolution which was taking place in the public mind could not be removed from the very centre of business, without satisfying the nation by all the reform it required; it was necessary to meet public opinion half way, lest it might press forward too rudely. A minister of finance cannot be a juggler, who passes and repasses money from one box to another, without any effectual means of increasing the receipts or reducing the expenditure. Retrenchment, taxes, or credit, were indispensable to re-establish the

deranged balance of the French treasury; and, to render any of these resources available, was a task that required the support of public opinion. Let us now proceed to examine the course to be followed by a minister who aims at obtaining that support.

CHAPTER IV.

Of the Character of M. Necker as a public Man.

M. NECKER, a citizen of the republic of Geneva, had cultivated literature from his earliest years with great attention; and, when called by circumstances to bestow his chief time on mercantile and financial transactions, his literary turn led to an intermixture of philosophical views and dignified sentiments with the more positive interests of life. Madame Necker, certainly one of the most enlightened women of her day, was in the habit of receiving at her house all the eminent men of an age singularly productive of talents. At the same time her extreme strictness in point of religion rendered her inaccessible to every doctrine at variance with the enlightened creed in which she had happily been born. Those who knew her are unanimous in declaring that she passed over all the opinions and all the passions of her age, without ceasing to be a Protestant in the true Christian spirit, equally remote from irreligion

and intolerance. M. Necker was actuated by similar impressions: in fact, no exclusive system could be acceptable to his mind, of which prudence was one of the distinguishing features. He took no pleasure in changes, as far as regarded their novelty; but he was a stranger to those prejudices of habit to which a superior mind can never subject itself.

His first literary essay was an "Eulogy on Colbert," which obtained the prize from the French Academy. He was blamed by the philosophers of the day for not applying, in all its extent, to commerce and finances, the system which they wished to impose on the mind. The philosophic fanaticism, which proved one of the evils of the Revolution, had already begun to show itself. These men were desirous of attributing to a few principles that absolute power which had hitherto been absorbed by a few individuals; as if the domain of inquiry admitted of restriction or exclusion.

M. Necker, in his second work, "On the Corn Trade and Corn Laws," admitted the necessity of certain restrictions on the export of corn: restrictions required by the daily and pressing wants of the indigent classes. It was on this occasion that M. Turgot and his friends came to a rupture with M. Necker: a popular

commotion, caused by the high price of bread, took place in the year 1775, when his book was published, and, from his having dwelt on the impolicy of the measure which led to the tumult, the more enthusiastic part of the "Economistes" threw the blame of it on his publication. But the censure was evidently absurd; for a tract founded on general views can influence, at least in the outset, none but the upper classes.

M. Necker, having been, during life, accustomed to real transactions, was capable of accommodating himself to the modifications which they required. This, however, by no means led him to slight the influence of general views, for none but inferior minds place theory and practice in opposition to each other: the one ought to be the result of the other, and the more closely they are scrutinized, the more they will be found to aid and extend each other.

A few months before his appointment to the cabinet, M. Necker made a journey to England. He came back with a profound admiration of most of the institutions of that country; but what particularly fixed his attention, was the great influence of publicity on national credit, and the immense financial power conferred by

the mere existence of a representative assembly. He had not, however, at that time, the slightest idea of proposing a change in the political organization of France; and had not imperious circumstances afterwards driven the King to such a change, M. Necker would never have thought himself authorized to take part in it. His rule was to apply, above all things, to the direct and special duty of his situation; and, though amply convinced of the vast advantages of a representative body, he would never have conceived that a minister, named by the king, ought to propose its introduction, without the positive authority of his sovereign. It entered, moreover, into his character to await the course of circumstances, and to avoid being the mover of measures which might be brought forward by the operation of time. Though a decided opponent of such privileges as the feudal rights and exemption from taxes, his plan was to treat with the possessors of such privileges, and to make their relinquishment of them a matter of amicable adjustment; on the plain principle of never sacrificing, without an equivalent, a present right for a prospective advantage. He induced the King to abolish, throughout the royal demesnes, the remains of feudal servitude, the mortmain, &c.; but the act which enforced

this contained no injunction of a similar conduct on the part of the great nobles. He trusted entirely to the influence of his example.

M. Necker disapproved highly of the existing inequality in the mode of paying taxes; he felt that the higher ranks ought not to bear a less proportion of the burden than the other citizens of the state; yet he avoided pressing any measure in that respect on the King. The appointment of the provincial councils was, as we shall see in a subsequent chapter, the best method, in his opinion, for obtaining the voluntary assent of the clergy and *noblesse* to the sacrifice of this inequality of taxation, which was more revolting to the mass of the nation than any other distinction. It was not till his second ministry, in 1788, when the King had already promised to assemble the States General, and when financial disorders, caused by a bad choice of ministers, had reached such a height as to put the Crown again in a state of dependance on the parliaments—it was not, I say, till then that M. Necker entered on so serious a question as the introduction of a change in the general constitution of France: so long as he had the means of governing by prudent measures, he recommended no other.

The defenders of arbitrary power, who would gladly have seen a Richelieu in the station of prime minister, were much dissatisfied with M. Necker; while, on the other hand, the ardent advocates of liberty have complained of his perseverance in defending, not only the royal authority, but even the undue advantages of the privileged classes, when he proposed to redeem them by compromise instead of extinguishing them without an equivalent. M. Necker found himself placed, by a concurrence of circumstances, like the Chancellor de l'Hôpital between the Catholics and Protestants; for the political contests in France, in the eighteenth century, have many points in common with the religious dissensions of the sixteenth; and M. Necker, like de l'Hôpital, endeavoured to unite all parties at that altar of reason which was at the bottom of his heart. Never did any one combine, in a more striking manner, prudence in the means with ardour for the end.

M. Necker never adopted a measure of importance without long and serious consideration, in which he consulted alternately his conscience and his judgment, but never his personal interest. To enter on meditation was with him to make an abstraction from himself, and what-

ever opinion may be formed on his different measures, their origin is to be sought in motives different from those that actuate most men. Scruples were as predominant with him as passions are with others. The extent of his mind and of his imagination sometimes exposed him to the evil of hesitation; and he was particularly alive to self-reproach, to such a degree indeed, as often to blame himself unjustly. These two noble but unaccommodating principles strengthened his attachment to moral philosophy: it was in that only that he found decision for the present, and tranquillity for the past. Every impartial man, who examines the public conduct of M. Necker in the smallest details, will always find it actuated by the impulse of virtue. I do not know whether that is called being no statesman; but, if he is to be blamed on this ground, let the blame be cast on the conscientious delicacy of his sentiments: for it was a rule with him that strict equity is still more necessary in a public than in a private capacity, because the management of extensive and durable interests is more evidently subjected, than that of lighter matters, to the principles of probity implanted in us by the Creator.

During his first administration, when public opinion was not yet perverted by party spirit,

and when the business of government proceeded on a regular plan, the admiration inspired by his character was general, and his retirement from office was regarded by all France as a public calamity. Let us stop a while to examine him in this his first ministry, before we proceed to those hard and cruel circumstances which created enmity and ingratitude in the bosoms of mankind.

CHAPTER V.

M. Necker's Plans of Finance.

THE principles adopted by M. Necker in the management of the finances are so simple that their theory is within the reach of every person, although their application be very difficult. It is easy to say to statesmen "be just and firm," as to writers "be ingenious and profound:" this advice is perfectly clear, but the qualities which enable us to follow it up are very rare.

M. Necker was persuaded that economy, and publicity the best guarantee of fidelity in our engagements, form the only foundations of order and credit in a great empire. As in his opinion public morals ought not to differ from private, so he conceived that the affairs of the state might, in many respects, be conducted on the same principles as those of each private family. To equalize the receipt and expenditure; to arrive at that desired point rather by a reduction of expense than by an increase of taxation; and, when war unfortunately became necessary, to meet its extra

expense by loans, the interest of which should be provided for either by a new tax or by a new retrenchment;—such were the great and leading principles from which M. Necker never deviated.

No people can carry on a war without other aid than their ordinary revenue; it becomes therefore indispensable to borrow, that is, to throw on future generations a part of the pressure of a contest supposed to be undertaken for their welfare. We might suppose the existence of an accumulated treasure, such as that which Frederick the Great possessed; but, besides that there was nothing of the kind in France, it is only a conqueror, or those who aim at becoming conquerors, that deprive their country of the advantages attached to the circulation of money and the maintenance of credit.

Arbitrary governments, whether revolutionary or despotic, have recourse, for their military expenses, to forced loans, extraordinary contributions, or the circulation of paper; for no country either can or ought to make war with its ordinary revenue. Credit is then the true modern discovery which binds a government to its people; it obliges the executive power to humour the public opinion: and, in the same way that trade has had the effect of civilizing

nations, credit, which is the offspring of trade, has rendered the establishment of constitutional forms of some kind or another necessary to give publicity to financial statements, and a pledge for public engagements. How was it practicable to found credit on mistresses, favourites, or ministers, who are in a course of daily change at a royal court. What father of a family would place his fortune in such a lottery?

M. Necker was the first and only minister in France who succeeded in obtaining credit without the benefit of any new institution. His name inspired so much confidence, that capitalists in various parts of Europe came forward, even to a degree of imprudence, with their funds, reckoning on him as on a government, and forgetting that he held his place by a very uncertain tenure. It was customary in England, as in France, to quote him before the Revolution as the best financial head in Europe; and it was considered as a miracle, that war should have been carried on during five years without increasing the taxes, or using other means than providing for the interest of the loans by progressive retrenchments. But when the time came that party spirit perverted every thing, his plan of finance was charged with charlatanism—a singular charlatanism truly; to carry

the austerity of private life into the cabinet, and to forego the pleasure of making friends and partisans by a lavish distribution of the public money!

The true judges of the talents and honour of a finance minister are the public creditors. During M. Necker's administration the funds rose, and the interest of money fell, to a degree of which there had been no example in France. The English funds, on the other hand, experienced a considerable fall; and the capitalists of all countries subscribed eagerly to the loans opened at Paris, as if the virtues of an individual could supply the place of the stability of law.

M. Necker has been blamed for the system of loans, as if that system were necessarily ruinous. But what means has England employed to arrive at that degree of wealth which has enabled her to sustain with such vigour twenty-five years of a most expensive war? Loans, of which the interest is not secured, would, no doubt, be ruinous, if they were practicable; but, fortunately, they are not practicable, for monied men are very cautious in their transactions, and will make no voluntary loans without a satisfactory pledge. M. Necker, to secure the interest and the sink-

ing fund necessary as a guarantee, combined a retrenchment with each loan, and the result was a diminution of expense more than sufficient for the payment of the interest. But this plain method of reducing expenditure to increase disposable revenue, does not appear to be ingenious enough to the writers, who aim at being profound when they treat of politics.

It has been alleged that the life annuities granted by M. Necker for the loan of money, had a tendency to induce fathers of families to encroach on that property which they ought to leave to their children. Yet it will be found that a life interest, on the plan combined by M. Necker, is as fair and prudent an object of speculation as interest on a perpetuity. The most cautious fathers of families were in the habit of advancing money on the thirty lives at Geneva, in the hope of an eventual increase of capital. There are tontines in Ireland, and they have long existed in France. Different modes of speculation must be adopted to attract capitalists of different views: but nothing can be clearer than that a prudent manager may accomplish a great increase of property by placing out a sum of money at a high rate, and by laying up yearly a portion of the interest. I should be almost ashamed to dwell on arrange-

ments so familiar to the calculating part of the European community; but in France, when the ignorant oracles of the saloons have caught, on a serious subject, a phrase of which the turn is plain to every body, they are in the habit of repeating it on all occasions, and this rampart of folly it is very difficult to overturn.

Must I also answer those who blame M. Necker for not having changed the mode of taxation, and suppressed the *gabelles* by imposing a uniform salt tax on those parts of the kingdom which enjoyed exemption from it? But local privileges were so fondly cherished by the provincialists, that nothing short of a revolutionary convulsion could destroy them. The minister who should have ventured to attack them would have provoked a resistance pernicious to the royal authority without succeeding in his object. Privileged persons of one class or other were all powerful in France forty years ago, and the national interest alone was devoid of strength. Government and the people, who form however two main parts of the state, were unable to cope with a particular province or a particular body; and motley rights, the inheritance of the past, prevented even the king from taking measures for the general good.

M. Necker, in his treatise "*Sur l'Administration des Finances,*" has pointed out all the evils of unequal taxation in France; but it was a further proof of his judgment to attempt no change in this respect during his first ministry. The incessant demands of the war made it wholly unadviseable to incur the risk of domestic contention. A state of peace was indispensable to the introduction of any material change in finance, that the people might at least have the satisfaction of not finding their burdens increased at the time the mode of levying them was about to be altered.

While one class of persons have blamed M. Necker for leaving the system of taxation untouched, another have charged him with too much boldness in sending to the press his *Compte Rendu*, or official report to the King on the state of the finances. But he was, as has been already mentioned, in much the same circumstances as the Chancellor de l'Hôpital, and could not take a single step of consequence without being censured for backwardness by the partisans of the new school, or for rashness by the adherents of the old. The study of his two administrations is therefore, perhaps, the most useful that can occupy a statesman: he will trace in it the road marked out by reason

between contending factions, and will discover efforts incessantly renewed to accomplish a pacific compromise between the innovators and their opponents.

The publication of the *Compte Rendu* was intended to answer, in some measure, the purpose so amply attained in England by parliamentary debates, that of apprizing the nation at large of the true state of the finances. This however, said some, was derogatory to the royal authority by informing the nation of the state of its affairs. A continuance of such mystery might have been possible, if the Crown had had no demands to make on the public purse; but the general discontent had by this time reached a height, which rendered the further collection of taxes a most difficult matter, unless the nation had the satisfaction of knowing the use that had been made, or was intended to be made, of them. The courtiers exclaimed against a system of publicity in finance, which alone can constitute a basis of credit; while they solicited with equal vehemence, both for themselves and their connexions, all the money which even such a credit could be made to supply. This inconsistency may, however, be explained by their just dread of exposing to the public eye the expenditure in which they were concerned; for the

publication of the state of the finances had the very material advantage of giving the minister the support of public opinion in his various retrenchments.

To a resolute character like M. Necker the resources offered in France by a plan of economy were very considerable. The king, although personally the reverse of expensive, was of so complying a disposition as to refuse nothing to those who surrounded him; and the grants of every kind under his reign, strict as was his own conduct, exceeded the expenses even of Louis XV. To accomplish a reduction of such grants, appeared to M. Necker both the first duty of a minister, and the best resource of the state: by acting firmly on this plan he made himself a number of enemies at court, and among persons in the finance department; but he fulfilled his duty, for the people were at that time reduced by taxes to great distress, and he was the first to make that distress the object of examination and relief. To sacrifice himself for those whom he knew not, and to resist the applications of those whom he knew, was a painful course; but it was prescribed by conscience to him who always took conscience for his guide.

At the time of M. Necker's first ministry the

most numerous part of the population was loaded with tithes and feudal burdens, from which the revolution has delivered it; the *gabelles* and other local taxes, the general inequalities arising from the exemption of the *noblesse* and clergy, all concurred to render the situation of the people much more uneasy than it is at present. Every year produced a number of cases in which the furniture of the lowest class was sold for government claims, which they were utterly unable to discharge: in short, in no country in Europe were the people exposed to so harsh a treatment. To the sacred claim of this numerous body was joined that of the crown, which ought, if possible, to be spared the odium arising from the opposition of parliaments to the registry of new taxes. All this shows how signal a service M. Necker rendered to the king, by keeping up the public credit, and by meeting the expense of war with progressive retrenchments; for the imposition of new burdens would have irritated the people, and given popularity to the parliament by affording it the opportunity of opposing them.

A minister who can prevent a revolutionary convulsion by doing good, has a plain road to follow, whatever may be his political opinions. M. Necker cherished the hope of postponing, at

least for some years, the crisis that was approaching, by introducing order into the finances; and had his plans been adopted, it it not impossible that this crisis might have terminated in a just, gradual, and salutary reform.

CHAPTER VI.

M. Necker's Plans of Administration.

A FINANCE minister, before the revolution, was not confined to the charge of the public treasury; his duties were not restricted to a mere adaptation of receipt and expenditure; the whole administration of the kingdom was in his department; and in this relation the welfare of the country in general stood in a manner under his jurisdiction. Several branches of administration were strangely neglected. The principle of absolute power was seen in conjunction with obstacles incessantly arising from the application of that power. There were every where historical traditions which the provinces attempted to erect into rights, and which the royal authority admitted only as customs. The management of the revenue was little else than a continued juggle, in which the officers of the crown attempted to extort as much as possible from the people to enrich the king, as if the king and his people could be considered in the light of adversaries.

The disbursements for the army and civil list were regularly supplied; but in other respects the penury of the treasury was such that the most urgent claims of humanity were postponed, or neglected, from mere inadequacy of means. It is impossible to form an idea of the state in which M. and Madame Necker found the prisons and hospitals in Paris. I mention Madame Necker, because she devoted all her time, during her husband's ministry, to the improvement of charitable establishments, and because the principal changes that took place in this respect were effected by her.

But M. Necker felt more than any one how little the personal beneficence of a minister can effect in respect of so large and so ill-governed a country as France: this led him to desire the establishment of provincial assemblies, that is, of councils composed of the principal landholders, for the purpose of discussing the fair repartition of taxes and other matters of local interest. M. Turgot had conceived this plan, but no minister before M. Necker had had the courage to expose himself to the resistance to be expected to an institution of this kind, for it was clear that the parliaments and the courtiers, seldom in unison, would now unite to oppose it. Those provinces, such as Languedoc, Bur-

gundy, Brittany, &c. which had been the latest united to the crown of France, were called *Pays d'Etats*, because they had stipulated a right to be governed by assemblies composed of the three orders of the province. The king fixed the total sum which he required in the shape of taxes, but he was obliged to leave its assessment to the provincial assembly. These assemblies persisted in their refusal of imposing certain duties, and asserted that they were exempt from them in virtue of treaties concluded with the Crown :—hence arose inequality in the plan of taxation ; multiplied facilities for a contraband traffic between one province and another ; and the establishment of custom-houses in the interior.

The *pays d'etats* enjoyed great advantages. They not only paid less, but the sum required was allotted by a board of proprietors acquainted with local interests, and active in promoting them. The roads and public establishments were much better kept up in these provinces, and the collection of taxes managed with less severity. The King had never admitted that these assemblies possessed the right of refusing his taxes, but they acted as if in reality they had possessed it ; not refusing the money required of them, but qualifying their contribu-

tions by calling them a *free gift*. In every respect, their plan of administration was better than that of the other provinces, which, however were much more numerous, and not less entitled to the attention of government. Intendants were appointed by the King to govern the thirty-two *generalités* into which the kingdom was divided. The chief opposition experienced by these local ministers took place in the *pays d'etats*, and sometimes in one or other of the twelve provincial parliaments (the parliament of Paris was the thirteenth); but in the greater part of the kingdom the intendant was the sole director of public business. He had at his command an army of fiscal retainers, all objects of detestation to the people, whom they were perpetually tormenting to pay taxes disproportioned to their means; and when complaints against the intendant or his subordinates were transmitted to the minister at Paris, the practice was to return these complaints to the intendant, on the ground that the executive power knew no other medium for communicating with the provinces.

Foreigners, and the rising generation too young to have known their country before the revolution, who form their estimate from the present condition of the people, enriched as they

are by the division of the large estates, and the suppression of the tithes and feudal burdens, can have no idea of the situation of the country when the nation bore all the burdens resulting from privilege and inequality. The advocates of colonial slavery have often asserted that a French peasant was more to be pitied than a negro—an argument this for relieving the whites, but not for hardening the heart against the blacks. A state of misery is productive of ignorance, and ignorance aggravates misery—if we are asked why the French people acted with such cruelty in the revolution, the answer will at once be found in their unhappy state, and in that want of moral feeling which is its result.

It has been in vain attempted, during the last twenty-five years, to produce scenes in Switzerland, or Holland, similar to those which have occurred in France; the good sense of these people, formed by the long enjoyment of liberty, prevented every thing of the kind.

Another cause of the excesses of the revolution is to be sought in the surprising influence of Paris over the rest of France. This would have naturally been lessened by the establishment of provincial assemblies, since the great landholders, engaged by the business in which they were

occupied at home, would have had motives for quitting Paris and residing in the country. The grandees of Spain are not at liberty to withdraw from Madrid without the king's leave: to convert nobles into courtiers is an effectual means of despotism, and consequently of degradation. Provincial assemblies would have given a political consistency to the higher nobility of France. And the contests which burst forth so suddenly between the nation and the privileged classes would perhaps never have had existence, had the three orders come in contact with each other by discussing their respective rights and interests in provincial assemblies.

M. Necker composed the provincial administrations, established under his ministry, on the plan afterwards adopted for the States General, viz. one-fourth of *noblesse*, one-fourth of clergy, and half of *tiers etat*, dividing the latter into deputies of towns and deputies of the country. They proceeded to deliberate together, and such was their harmony at the outset, that the two first orders spoke of making a voluntary renunciation of their privileges in regard to taxes; and the reports (*procès verbaux*) of their sittings were to be printed, that their labours might receive the support of public approbation.

The French nobility were very deficient in

education, because they had no motives to be otherwise. The graces of conversation, which rendered them acceptable at court, were the surest means of arriving at public honours. This superficial education proved one of the causes of the fall of the nobility: they were found unable to contend with the intelligence of the *tiers etat;* their object should have been to surpass them. Provincial assemblies would gradually have led them to take a lead by their ability in official business, as they formerly did by their military capacity; and public spirit in France would have preceded the establishment of free institutions.

The existence of provincial assemblies would have been no bar to the eventual convoking of the States General; and when a representative assembly came to be formed, the first and second class, accustomed previously to discuss public affairs, would not have met each other with sentiments of decided opposition—the one full of horror at equality, the other all impatient for it.

The archbishop of Bourges and the bishop of Rhodez were chosen the respective presidents of the local assemblies established by M. Necker. That Protestant minister showed, on all occasions, a considerable deference for the

established clergy; in fact they were to be depended upon in all questions which did not relate to church matters, or affect them as a body; but since the revolution has taken place, there are decided reasons, in the nature of the government and the rancour of party spirit, for keeping churchmen out of public employments.

The parliaments were dissatisfied at the appointment of provincial assemblies as likely to give the King the support of public opinion without their intervention. M. Necker's view was, that the provinces should not be altogether dependant on the authorities habitually assembled at Paris; but, far from desiring to retrench the proper power of parliaments, their power of opposing an extension of taxes, it was he who prevailed on the King to submit to them the increase of the *taille*, an arbitrary tax, of which the ministry alone fixed the amount. M. Necker was desirous of limiting the power of ministers, because he knew from experience that a person overloaded with business, and placed at such a distance from those upon whose interest he is called on to decide, acquires the habit of referring for information from one public officer to another, till at last the matter falls into the hands of subalterns, who are quite

incapable of forming an opinion on such subjects.

And here it may be alleged that M. Necker, filling the place of minister but for a season, was very willing to set limits to ministerial power; but that by such conduct he abridged the permanent authority of the King. I will not here discuss the great question, whether a king of England does not possess as much and more power than did a king of France. The former, provided he fulfil the indispensable condition of governing agreeably to the public wish, is sure of uniting the strength of the people to the power of the Crown; but an absolute prince, not knowing how to collect their opinion, which his ministers do not represent to him faithfully, meets at every step with unforeseen obstacles, of which he cannot calculate the danger. But, without anticipating a result which will, I trust, receive some light from the present work, I confine myself at present to the provincial administrations, and I ask whether those were the true servants of the King who sought to persuade him that these assemblies would operate in diminution of his authority?

Their powers did not go the length of deciding the *amount* of the sum to be levied on their

particular province; their business was merely to make the *assessment*. Was it then an advantage to the Crown that a tax imposed by an injudicious intendant was the cause of greater suffering and discontent to the people, than a larger levy, when allotted with prudence and impartiality by the representatives of the province? Every public officer was in the habit of bringing forward the King's name, even in petty matters of detail. The French indeed are never satisfied except when they can, upon every occasion, support themselves by the royal wish. Habits of servility are inveterate among them; while in a free country ministers found their measures only on the general advantage. A long time must yet pass, before the inhabitants of France, accustomed for centuries to arbitrary power, learn to reject this courtiers' language, which ought never to be heard beyond the precincts of the palaces to which it owes its origin.

No dispute occurred between the King and the Parliaments during the ministry of M. Necker. That, some will say, is not to be wondered at, since the King, during that period, required no new taxes, and abstained from all unauthorized exercise of prerogative. This was exactly what constituted the merit of the minister;

since it is impolitic in the King, even in a country where prerogative is not limited, to make the experiment to what extent the people will bear with his faults. Power ought not to be stretched to the utmost under any circumstances, but particularly on so frail a foundation as that of arbitrary authority in an enlightened country.

M. Necker's conduct during his first ministry was marked more by an adherence to public probity, if I may so express it, than by a predilection for liberty, because the nature of the existing government admitted the one more than the other; but he was at the same time desirous of institutions calculated to place the public welfare on a more stable foundation than the character of a king, or the still more precarious one of a minister. The two provincial administrations, which he had established in Berri and Rouergue, succeeded extremely well; others were in a course of preparation; and the impulse necessary to the public mind, in a great empire, was directed towards these partial improvements. There were at that time only two methods of satisfying the anxiety which was already much excited upon the state of affairs in general; the establishment of provincial assemblies, and the publication of a fair state-

ment of the finances. But why, it may be asked, should the public opinion be satisfied? I will not enter on the answers which the friends of liberty would make to this singular question; I will merely add, that, even for the purpose of eluding the demand of a representative government, the wisest plan was to grant at once what would have been expected from that government, that is, order and stability in the administration. Credit, or, in other words, a supply of money, was dependant on public opinion; and, as money was indispensable, there could be no doubt of the propriety of doing from policy that which ought perhaps to have been done from a sense of duty.

CHAPTER VII.

Of the American War.

IN judging of the past from our knowledge of the events that have ensued, most people will be of opinion that Louis XVI. did wrong in interfering between England and America. Although the independence of the United States was desired by all liberal minds, the principles of the French monarchy did not permit of encouraging what, according to these principles, must be pronounced a revolt. Besides, France had at that time no cause of complaint against England; and, to enter on a war solely on the ground of the habitual rivalship of the two countries, is bad policy in itself, and more detrimental to France than to England; for France, possessing greater natural resources, but being inferior in naval power, is sure of acquiring additional strength in peace, and as sure of being weakened by a maritime war.

The cause of America, and the parliamentary debates on that subject in England, excited the greatest interest in France. All the French

officers sent to serve under Washington came home with an enthusiasm for liberty, which made it no easy task for them to resume their attendance at Versailles, without wishing for something beyond the honour of being presented at court. Must we then accede to the opinion of those who attribute the Revolution to the political fault of the French government, in taking part in the American war? The Revolution must be attributed to every thing, and to nothing: every year of the century led towards it by every path; it was a matter of great difficulty to remain deaf to the call of Paris in favour of American independence. Already the Marquis de la Fayette, a French nobleman, eager for fame and liberty, had gained general approbation by proceeding to join the Americans, even before the French government had taken part with them. Resistance to the King's will, in this matter, was encouraged by the public applause; and, when the royal authority has lost ground in public opinion, the principle of a monarchical government, which places honour in obedience, is attacked at its basis.

What was then the course to be adopted by the French government? M. Necker laid before the King the strongest motives for a continuance of peace, and he who has been

charged with republican sentiments, declared himself hostile to a war of which the object was the independence of a people. I need not say that he, on his part, wished success to the colonists in their admirable cause; but he felt, on the one hand, that war never ought to be declared without positive necessity, and, on the other, that no possible concurrence of political results could counterbalance to France the loss she would sustain of the advantages she might derive from her capital wasted in the contest. These arguments were not successful: the King decided on the war. There were, it must be allowed, very strong motives for it, and government was exposed to great difficulties in either alternative. Already was the time approaching when we might apply to Louis XVI. what Hume said of Charles I.: "He found himself in a situation where faults were irreparable; a condition too rigorous to be imposed on weak human nature."

CHAPTER VIII.

M. Necker's Retirement from Office in 1781.

M. NECKER had no other object in his first ministry than to prevail on the King to adopt, of his own accord, the measures of public utility required by the nation, and for which it afterwards demanded a representative body. This was the only method of preventing a revolution during the life of Louis XVI.; and never have I known my father deviate from the opinion, that then, in 1781, he might have succeeded in that object. The most bitter reproach which he ever cast on himself was that of not supporting every thing rather than give in his resignation. But he could not then foresee the extraordinary course of events; and, although a generous feeling attached him to his place, there exists in a lofty mind a delicate apprehension of not withdrawing easily from power, when a feeling of independence suggests that alternative.

The second class of courtiers declared itself adverse to M. Necker. The higher nobility, being exempt from disquietude in regard to

their situation and fortune, have, in general, more independence in their manner of viewing things, than that ignoble swarm which clings to court favour, in the hope of obtaining fresh gifts on every new occasion. M. Necker had made retrenchments in the royal household, in the pension list, in the charges of the finance department, and in the emoluments arising to court dependants from these charges; a system far from agreeable to all who had been in the habit of receiving the pay of government, and of relying on the pertinacity of their applications for a livelihood. In vain had M. Necker, for the sake of giving additional weight to his measures of reform, with a personal disinterestedness till then unheard of, declined all the emoluments of his situation. What signified this disinterestedness to those who were far from imitating such an example? Such generous conduct did not disarm the anger of the courtiers of both sexes, who found in M. Necker an obstacle to abuses, which had become so habitual that their suppression seemed to them an act of injustice.

Women of a certain rank used to interfere with every thing before the revolution. Their husbands or their brothers were in the habit of employing them on all occasions as applicants to ministers; they could urge a point strongly

with less apparent impropriety; could even outstep the proper limits, without affording an opening to complaint: and all the insinuations, which they knew how to employ, gave them considerable influence over men in office. M. Necker used to receive them with great politeness; but he had too much penetration not to see through that plausible disguise, which produces no effect on a frank and enlightened mind. These ladies used then to assume a lofty tone, to call to mind, with a careless air, the illustrious rank of their families, and demand a pension with as much confidence as a marshal of France would complain of being superseded. M. Necker always made it a rule to adhere to strict justice, and never to lavish the money obtained by the sacrifices of the people. "What are three thousand livres to the king?" said these ladies: "three thousand livres," replied M. Necker, "is the taxation of a village."

The value of these sentiments was felt only by the most respectable persons at court. M. Necker could also reckon on friends among the clergy, to whom he had always shown great respect; and among the nobility and great landholders, whom he was desirous of introducing, by the medium of provincial administrations, to the knowledge and manage-

ment of public business. But the courtiers of the princes, and the persons employed in the finance department, exclaimed loudly against him. A memorial transmitted by him to the king, on the advantage of provincial assemblies, had been indiscreetly published; and the parliaments had read in it, that one of the arguments used by M. Necker for these new appointments, was the support of public opinion which might subsequently be used against the parliaments themselves, if the latter should act the part of ambitious corporations, instead of following the wish of the public. This was enough to make the members of these bodies, jealous as they were of their political influence, represent M. Necker as an innovator. But, of all innovations, economy was the one most dreaded by the courtiers and persons in the finance departments. Such enemies, however, would not have accomplished the removal of a minister, to whom the nation showed more attachment than to any one since the administration of Sully and of Colbert, if M. de Maurepas had not adroitly found out the means of displacing him.

He was dissatisfied with M. Necker for having obtained the appointment of the Marechal de Castries to the ministry of marine, without his

participation. Yet no man was more generally respected than M. de Castries, or was better entitled to respect; but M. de Maurepas could not bear that M. Necker, or, in fact, any one, should think of exercising a direct influence over the King. He was jealous even of the Queen; and the Queen was at that time very favourably disposed towards M. Necker. M. de Maurepas was always present at conferences between the King and his minister; but, during one of his attacks of gout, M. Necker, being alone with the King, obtained the removal of M. de Sartines, and the appointment of M. de Castries to the ministry of marine.

M. de Sartines was a specimen of the selection made for public offices in those countries where neither the liberty of the press, nor the vigilance of a representative body, obliges the court to have recourse to men of ability. He had acquitted himself extremely well in the capacity of *Lieutenant de Police:* and had arrived, by some intrigue or other, at the ministry of marine. M. Necker called on him a few days after his appointment, and found that he had got his room hung round with maps: and he said to M. Necker, while he walked up and down the room, "See what progress I have already made; I can put my hand on this

map and point out to you, with my eyes shut, each of the four quarters of the world." Such wonderful knowledge would not have been considered as a sufficient qualification in the First Lord of the Admiralty in England.

To his general ignorance M. de Sartines added an almost incredible degree of inefficiency in regard to the accounts and money transactions of his department; the finance minister could not remain a stranger to the disorders prevalent in this branch of public expenditure. But, weighty as were these reasons, M. de Maurepas could never forgive M. Necker for having spoken directly to the King; and he became, from that day forward, his mortal enemy. What a singular character is an old courtier when minister! The public benefit passed for nothing in the eyes of M. de Maurepas: he thought only of what he called the King's service, and this *service du Roi* consisted in the favour to be gained or lost at court. As to business, even the most important points were all inferior to the grand object of managing the royal mind. He thought it necessary that a minister should possess a certain knowledge of his department, that he might not appear ignorant in his conversations with the King: also that he should possess the

good opinion of the public, so far as to prevent an unusual share of censure from reaching the King's ears; but the spring and object of all was to please his royal master. M. de Maurepas laboured accordingly to preserve his favour by a variety of minute attentions, that he might surround the sovereign as in a net, and succeed in keeping him a stranger to all information in which he might be likely to hear the voice of sincerity and truth. He did not venture to propose to the King the dismissal of so useful a minister as M. Necker; for, to say nothing of his ardour for the public welfare, the influx of money into the treasury by means of his personal credit was not to be despised. Yet the old minister was as imprudent in respect to the public interest, as cautious in what regarded himself; for he was much less alarmed at the apprehension of financial embarrassment, than at M. Necker presuming to speak, without his intervention, to the King. He could not, however, go the length of saying to that King, "You should remove your minister, because he has taken on him to refer to you without consulting me." It was necessary to await the support of other circumstances; and, however reserved M. Necker was, he had a certain pride of character and sensibility of offence; a degree

of energy in his whole manner of feeling, that could hardly fail, sooner or later, to lead him into faults at court.

In the household of one of the princes there was, in the capacity of intendant or steward, a M. de Sainte Foix, a man who made little noise, but who was persevering in his hatred of all elevated sentiments. This man, to his latest day, and when his grey hairs appeared to call for graver thoughts, was still in the habit of repairing to the ministers, even of the revolution, in quest of a dinner, official secrets, and pecuniary benefits. M. de Maurepas employed him to circulate libels against M. Necker; and, as the liberty of the press did not then exist in France, there was something altogether new in pamphlets against a member of the cabinet, encouraged by the prime minister, and of course publicly distributed.

The proper way, as M. Necker repeatedly said afterwards, would have been to treat with contempt these snares laid for his temper; but Madame Necker could not bear the chagrin excited by these calumnies circulated against her husband. She thought it a duty to withhold from him the first libel that came into her hands, that she might spare him a painful sensation; but she took the step of writing, without his

knowledge, to M. de Maurepas, complaining of the offence, and requesting him to take measures against these anonymous publications: this was appealing to the very person who secretly encouraged them. Although a woman of great talents, Madame Necker, educated among the mountains of Switzerland, had no idea of such a character as M. de Maurepas—of a man who, in the expression of sentiments, only sought an opportunity to discover the vulnerable side. No sooner did he become aware of M. Necker's sensitive disposition by the mortification apparent in his wife's complaint, than he secretly congratulated himself on the prospect of impelling him, by renewed irritation, to give in his resignation.

M. Necker, on learning the step taken by his wife, expressed displeasure at it, but was at the same time much concerned at its cause. Next to the duties enjoined by religion, the esteem of the public was his highest concern; he sacrificed to it fortune, honours, all that the ambitious desire; and the voice of the people, not yet perverted, was to him almost divine. The least shade on his reputation was productive to him of the greatest degree of suffering which any thing in the concerns of this world could occasion. The motive of all his actions,

as far as that motive was temporal, the breeze which propelled his bark, was the love of public esteem. Add to this, that a cabinet minister in France had not, like an English minister, a power independent of the court: he had no opportunity of giving, in the House of Commons, a public vindication of his motives and conduct; and there being no liberty of the press, clandestine libels were doubly dangerous.

M. de Maurepas circulated underhandedly that attacks on the finance minister were by no means unpleasant to the king. Had M. Necker requested a private audience of the king, and submitted to him what he knew in regard to his prime minister, he might perhaps have succeeded in getting him removed from office. But the advanced years of this man, frivolous as he was, had a claim to respect; and besides, M. Necker could not overcome a feeling of grateful recollection towards him who had placed him in the ministry. M. Necker determined therefore to content himself with requiring some mark of his sovereign's confidence that would discourage the libellers: he desired that they might be removed from their employments in the household of the Count d'Artois, and claimed for himself a seat in the cabinet (*conseil d'etat*) to which he had not as yet

been admitted on account of being a Protestant. His attendance there was decidedly called for by the public interest; for a finance minister, charged with levying on the people the burdens of war, is certainly entitled to participate in deliberations relating to the question of peace.

M. Necker was impressed with the idea, that unless the king gave a decided proof of his determination to defend him against his powerful enemies, he would no longer possess the weight necessary to conduct the finance department, on the strict and severe plan that he had prescribed to himself. In this, however, he was mistaken: the public attachment to him was greater than he imagined, and could he have prevailed on himself to remain in office until the death of the first minister, which took place in the course of six months, he would have occupied his situation. The reign of Louis XVI. might probably have been passed in peace, and the nation been prepared by good government, for the emancipation to which it was entitled.

M. Necker made an offer of resigning unless the conditions that he required were complied with. M. de Maurepas, who had stimulated him to this step, knew perfectly well what would be the result; for the weaker kings are, the more attachment do they show to certain rules of

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firmness impressed on them from their earliest years, of which one of the first, no doubt, is that a king should never decline an offer of resignation, or subscribe to the conditions affixed by a public functionary to the continuance of his services.

The day before M. Necker intended to propose to the king the alternative of resigning, if what he wished was not complied with, he went with his wife to the hospital at Paris, which still bears their name. He often visited this respectable asylum to recover the firmness requisite to support the hard trials of his situation. *Sœurs de la Charité*, the most interesting of the religious communities, attended the sick of the hospital: these nuns take their vows only for a year, and the more beneficent their conduct, the less it is marked by intolerance. M. and Madame Necker, though both Protestants, were the objects of their affectionate regard. These holy sisters came to meet them with flowers, and sung to them verses from the Psalms, the only poetry that they knew: they called them their benefactors, because they contributed to the relief of the poor. My father, as I still remember, was that day more affected than he had ever been by these testimonies of their gratitude: he no doubt regretted the power he was

about to lose, that of doing good to France. Alas! who at that time would have thought it possible that such a man should be one day accused of being harsh, arrogant, and factious? Ah! never did a purer heart encounter the conflict of political storms: and his enemies, in calumniating him, commit an act of impiety; for the heart of a virtuous man is the sanctuary of the Divinity in this world.

Next day, M. Necker returned from Versailles, and was no longer a minister. He went to my mother's apartment, and, after half an hour of conversation, both gave directions to the servants to have every thing ready in the course of twenty-four hours for removing to St. Ouen, a country house belonging to my father, two leagues from Paris. My mother sustained herself by the very exaltation of her sentiments; my father continued silent, and as for me, at that early age, any change of place was a source of delight; but when, at dinner, I observed the secretaries and clerks of the finance department silent and dispirited, I began to dread that my gaiety was not on the best foundation. This uneasy sensation was soon removed by the innumerable attentions received by my father at St. Ouen.

Every body came to see him; noblemen,

clergy, magistrates, merchants, men of letters, all flocked to St. Ouen. More than five hundred letters, received from members of the provincial boards and corporations, expressed a degree of respect and affection, which had, perhaps, never been shown to a public man in France.* The Memoirs of the time, which have already been published, attest the truth of all that I have stated.† A good minister was, at that

* These letters are a family treasure, which are in my possession at our seat at Coppet.

† *Correspondance littéraire, philosophique et critique, adressé à un souverain d'Allemagne, par le baron de Grimm, et par M. Diderot.* (Vol v. page 297, May 1781).

"It was only on Sunday morning, the 20th of this month, that the people of Paris were apprized of M. Necker's resignation, sent in the evening before; they had been long prepared for it, by the rumour of the town and court, by the impunity of the most offensive libels, and by a kind of patronage extended by a powerful party, by every means open and secret, to those who were shameless enough to circulate them: yet, to judge from the general surprise, one would have said that no intelligence had ever been so unexpected: consternation was stamped on every countenance; those who felt differently were few in number, and would have been ashamed to show it. The walks, the coffee-houses, and all the places of public resort, were crowded with people, but there prevailed an extraordinary silence. They looked at each other, and shook hands in despondence, I should say, as at the sight of a public calamity; if these first moments of

time, all that the French desired. They had become successively attached to M. Turgot, to M. de Malesherbes, and particularly to M. Necker, because he was much more of a practical

distress might not rather be compared to the state of a disconsolate family, which has just lost the object and support of its hopes.

It happened that they acted, on that evening, at the *Theatre Français*, the *Partie de Chasse de Henri IV.* I have often seen at the Paris theatres a surprising quickness in applying passages of a play to momentary circumstances, but I never saw it done with so lively and general an interest. The name of Sully was never introduced without bringing forth a shout of applause, marked each time by a particular character, by a shade belonging to the feeling with which the audience were penetrated, being actuated one moment by regret and grief, at another by gratitude and respect; all so true, so just, and so distinctly marked, that language itself could not have given these emotions a more lively or interesting expression. Nothing that could, without difficulty, be applied to the public feeling towards M. Necker, was overlooked; often the *plaudits* burst forth in the midst of an actor's speech, when the audience foresaw that the end of it would not admit of so clear, so natural, and flattering an application. In short, seldom has there been a more evident or delicate concurrence of feeling; or one, if I may so express myself, more spontaneously unanimous. The manager thought it incumbent on him to apologize to the *lieutenant de police* for having been the cause of this touching scene, with which, however, he could not be reproached; he had no difficulty in exculpating himself, as the piece had been in preparation for

man than the others. But when they saw that even under so virtuous a king as Louis XVI. no minister of austerity and talent could remain in office, they felt that nothing short of settled institutions could preserve the state from the vicissitudes of courts. Joseph II. Catherine II. and the Queen of Naples, all wrote to M. Necker, offering him the management of their finances; but his heart was too truly French to accept such an indemnification, however honourable it might be. France and Europe were im-

a week. The police thought proper to take no notice of it, and merely forbade the newspaper writers from mentioning, in future, M. Necker's name with either praise or censure.

No minister ever carried a more spotless fame into retirement; none ever received more marks of the public confidence and admiration. For several days after his leaving Paris, the road to his country house at St. Ouen exhibited a continued procession of carriages. Men of all ranks and conditions hastened to show him marks of their sensibility and regret. In the number were to be seen the most respectable persons of the town and court; the prelates most distinguished by their birth and piety, the archbishop of Paris at their head; the Birons, the Beauvaux, the Richelieus, the Choiseuls, the Noailles, the Luxembourgs; in short, the most respected names in France, not omitting even M. Necker's official successor, who thought the best way of giving to the public confidence in his administration, was to express the greatest admiration of that of M. Necker, and congratulate himself on having only to follow the path he found so happily traced.

pressed with consternation at the resignation of M. Necker: his virtue and talents gave him a right to such an homage; but there was, moreover, in this universal sensation, a confused dread of the political crisis with which the public were threatened, and which a wise course, on the part of the French ministry, could alone retard or prevent.

The public under Louis XIV. would certainly not have ventured to shower attention on a dismissed minister, and this new spirit of independence ought to have taught statesmen the growing strength of public opinion. Yet, so far from attending to it during the seven years that elapsed between the retirement of M. Necker and the promise of convoking the States General, given by the archbishop of Sens, ministers committed all kinds of faults, and did not scruple to irritate the nation without having in their hands any real power to restrain it.

CHAPTER IX.

The Circumstances that led to the assembling of the States General.—Ministry of M. de Calonne.

M. TURGOT and M. Necker owed their loss of place in a great degree to the influence of the parliaments, who were adverse both to the suppression of exemptions from taxes, and to the establishment of provincial assemblies. This made the King think of choosing a finance minister from among the members of the parliament, as a method of disarming the opposition of that body when new taxes came under discussion. The consequence was the appointment, successively, of M. Joly de Fleury, and M. d'Ormesson; but neither of these had the least idea of finance business, and their ministries may be considered, in this respect, as periods of anarchy. Yet the circumstances in which they were placed, were much more favourable than those with which M. Necker had had to struggle. M. de Maurepas was no more, and the war had been brought to a close.

What improvements would not M. Necker have made under such auspicious circumstances! But it was part of the character of these men, or rather of the body to which they belonged, to admit of no improvements of any kind.

Representatives of the people receive information every year, and particularly at each election, from the progress that knowledge makes in all directions; but the parliament of Paris was, and would always have been, unacquainted with recent improvements. The reason is perfectly plain; a privileged body derives its patent from history; it possesses strength to-day only because it has existed for ages. The consequence is, that it attaches itself to the past, and is suspicious of innovation. The case is quite different with elected deputies, who participate in the revived and increasing spirit of the nation which they represent.

The choice of finance ministers from among the parliament of Paris not having succeeded, the only remaining field for selection was from among the intendants, or provincial administrators appointed by the King. M. Senac de Meilhan, a superficial writer, whose only depth lay in his vanity, could not pardon M. Necker for having been appointed to his situation, for he considered the finance ministry as his right; but it was in vain that he cherished hatred or

indulged in calumny; he did not succeed in drawing the public opinion to himself. Among the candidates, there was only one that had the reputation of great talent—M. de Calonne: the world gave him credit for great abilities, because he treated with levity things of the greatest moment and virtue amongst the rest. The French are but too apt to fall into the great mistake of ascribing wonderful powers to those who choose to set themselves above moral restraint. Faults consequent on passion may at times be taken as indicative of vigour of intellect; but a disposition to venality and intrigue belongs to a kind of mediocrity, the possessor of which can be useful in nothing but for his own good. We should be nearer the truth in setting down as incapable of public business any man who has devoted his life to an artful management of persons and circumstances. Such was M. de Calonne; and, even in this light, the frivolity of his character followed him, for when he meant to do mischief, he did not do it with ability.

His reputation, founded on the report of the women in whose society he was in the habit of passing his time, pointed him out for the ministry. The King was long adverse to an appointment at variance with his conscientious feelings: the Queen, although surrounded by per-

sons of a very different way of thinking, partook of her husband's repugnance; and one is almost tempted to say that both had a presentiment of the misfortunes into which such a character was likely to involve them. No single man, I repeat it, can be considered the author of the French revolution; but if we are to fix more particularly on an individual an event prepared by preceding circumstances, it must be attributed to the faults of M. de Calonne. His object was to make himself acceptable at court by lavishing the public money; he encouraged the King, the Queen, and the Princes to dismiss all restraint in regard to their favourite objects of expense, giving them the assurance, that luxury was the source of national prosperity. Prodigality, according to him, was an enlarged economy. in short, his plan was to be easy and accommodating in every thing, that he might form a complete contrast to the austerity of M. Necker. There was, however, as little comparison between the two in talent as in probity; the paper controversy that took place some time after between them in regard to the deficit in the revenue, showed that, even in point of wit, all the advantage was on M. Necker's side.

M. de Calonne's levity was apparent rather in his principles than in his manners; he thought

there was something brilliant in making light of difficulties, as in truth there would be, if we overcame them; but when they prove too strong for him who pretends to control them, his negligent confidence tends merely to make him more ridiculous.

M. de Calonne continued during peace the system of loans, which, in M. Necker's opinion, was suitable only to a state of war. The credit of the minister experiencing a visible decline, he was obliged to raise the rate of interest to get money, and thus disorder grew out of disorder. It was about this time that M. Necker published his *Administration des Finances*, which is now considered a standard book, and had from its first appearance a surprising effect; the sale extended to 80,000 copies. Never had a work on so serious a subject obtained such general success. The people of France already began to give much attention to public business, although not aware of the share that they might soon take in it.

This work contained all the plans of reform subsequently adopted by the Constituent Assembly in regard to taxes; and the favourable effect produced by these changes on the circumstances of the people has afforded ample evidence of the truth of M. Necker's constant opi-

nion advanced in his works of the extent of the natural resources of France.

M. de Calonne was popular only among the courtiers; and such was the financial distress consequent on his prodigality and carelessness, that he was obliged to have recourse to a measure—the equalization of taxes among all classes, which originated with M. Turgot, a statesman as different from him as possible in every respect. But to what obstacles was not this new measure exposed, and how strange the situation of a minister, who, after dilapidating the treasury to make friends among the privileged orders, found himself obliged to displease that body at large by imposing a burden on the whole to meet the largesses made to individuals.

M. de Calonne was aware that the parliament of Paris would not give its consent to new taxes, and likewise, that the King was averse to recurring to the expedient of a *lit de justice*—an expedient which showed the arbitrary power of the Crown in a glaring light, by annulling the only resistance provided by the constitution of the state. On the other hand, the weight of public opinion was daily on the increase, and a spirit of independence was manifesting itself among all classes. M. de Calonne flattered him-

self that he should find a support from this opinion against the parliament, whereas it was as much adverse to him as to that body. He proposed to the King to summon an assembly of the *Notables*, a measure never adopted since the reign of Henry IV., a king who might run any risk in regard to authority, because assured of regaining every thing by affection.

An assembly of *Notables* had no power but that of giving the King their opinion on the questions which ministers thought proper to address to them. Nothing could be more ill-adapted to a time of public agitation, than the assembling of bodies of men whose functions are confined to speaking: their opinions are carried to a higher state of excitement, because they find no issue. The constitution placed the right of sanctioning taxes solely in the States General, the last convocation of which had taken place in 1614; but as taxes had been imposed unceasingly during an interval of 175 years, without a reference to this right, the nation had not the habit of remembering it, and at Paris they talked much more of the constitution of England than of that of France. The political principles laid down in English publications

were much better known to Frenchmen than their ancient institutions, disused and forgotten for nearly two centuries.

At the meeting of the assembly of *Notables* in 1787, M. de Calonne confessed, in his statement of the finances, that the national expenditure exceeded the receipt by 56,000,000 of livres a year; * but he alleged that this deficiency had commenced long before him, and that M. Necker had not adhered to truth when he asserted in 1781 that the receipt exceeded the expenditure by 10,000,000 of livres. No sooner did this assertion reach the ears of M. Necker, than he refuted it in a triumphant memorial, accompanied by official documents, of the correctness of which the Notables were capable of judging at the time. His two successors in the ministry of finance, M. Joly de Fleury and M. d'Ormesson, attested the truth of his assertions. He sent a copy of this memorial to the King, who seemed satisfied of its truth, but required of him not to print it.

In an arbitrary government, kings, even the best, have difficulty in conceiving the importance which every man naturally attaches to the good opinion of the public. In their eyes the

* In English money 2,300,000*l.* sterling.

court is the centre of every thing, while they themselves are the centre of the court. M. Necker felt himself under the necessity of disobeying the king's injunction:—to oblige a minister in retirement to keep silence, when accused by a minister in office of a falsehood in the face of the nation, was like forbidding a man to defend his honour. A sensibility to reputation less keen than that of M. Necker would have prompted a man to repel such an offence at all hazards. Ambition would, no doubt, have suggested a submission to the royal commands; but, as M. Necker's ambition pointed to fame, he published his work, although assured by every body that by so doing he exposed himself, at the least, to exclusion for ever from the ministry.

One evening in the winter of 1787, two days after the answer to M. de Calonne's attack had appeared, a message was brought to my father, while in the drawing-room along with his family and a few friends: he went out, and having first sent for my mother, and, some minutes afterwards, for me, he told me that M. Le Noir, the Lieutenant de Police, had just brought him a *lettre de cachet*, by which he was exiled to the distance of forty leagues from Paris. I cannot describe the state into which I was thrown by

this intelligence; it seemed to me an act of despotism without example; it was inflicted on my father, of whose noble and pure sentiments I was fully aware. I had not yet an idea of what governments are, and the conduct of the French government appeared to me an act of the most revolting injustice. I have certainly not changed my opinion in regard to the punishment of exile, without trial; I think, and shall endeavour to prove, that of all harsh punishments it is the one most liable to abuse. But, at that time, *lettres de cachet*, like other irregularities, were considered as things of course; and the personal character of the King had the effect of softening the abuse of them as much as possible.

But M. Necker's popularity had the effect of changing persecutions into triumph. All Paris came to see him during the twenty-four hours that he required to get ready for his journey. The Archbishop of Toulouse, patronized by the Queen, and on the eve of succeeding M. de Calonne, thought it incumbent on him, even on a calculation of ambition, to pay a visit to the exile. Offers of residences were made on all hands to M. Necker; all the country seats, at the distance of forty leagues from Paris, were placed at his disposal. The evil of a banishment,

known to be temporary, could not be very great, and the compensation for it was most flattering. But is it possible that a country can be governed in this manner? Nothing is so pleasant, for a certain time, as the decline of a government, for its weakness gives it an air of mildness; but the fall that ensues is dreadful.

The exile of M. Necker had by no means the effect of rendering the Notables favourable to M. de Calonne: they were irritated at it, and the assembly made more and more opposition to the plans of the minister. His proposed taxes were all founded on the abolition of pecuniary privileges; but, as they were alleged to be very ill planned, the Notables rejected them under this pretext. This body, composed almost entirely of nobility and clergy, was certainly not disposed (with some exceptions) to admit the principle of equalization of taxes; but it was cautious in expressing its secret wish in this respect; and, connecting itself with those whose views were entirely liberal, the result was its concurrence with the public, who dreaded indiscriminately all new taxes of whatever nature.

The unpopularity of M. de Calonne was now so great, and the Assembly of the Notables afforded so imposing a medium for expressing this un-

popularity, that the King felt himself obliged, not only to remove M. de Calonne from office, but even to punish him. Now, whatever might be the faults of the minister, the King had declared to the Notables, two months before, that he approved his plans: there was consequently as great a loss of dignity in thus abandoning a bad minister, as in previously removing a good one. But the great misfortune lay in the incredible choice of a successor; the Queen wished for the Archbishop of Toulouse; but the King was not disposed to appoint him. M. de Castries, who was then Minister of Marine, proposed M. Necker; but the Baron de Breteuil, who dreaded him, stimulated the King's pride by pointing out to him that he could not choose as minister one whom he had so lately exiled. Those kings who possess the least firmness of character are of all others the most sensitive when their authority is in question; they seem to think that it can go on of its own accord, like a supernatural power, entirely independent of means and circumstances. The Baron de Breteuil succeeded in preventing the appointment of M. Necker; the Queen failed in regard to the Archbishop of Toulouse; and the parties united for an instant on ground cer-

tainly very neutral, or rather no ground at all, in the appointment of M. de Fourqueux.

Never had the wig of a counsellor of state covered a poorer head: the man seemed at first to form a very proper estimate of his abilities, and declared himself incapable of filling the situation. But so many entreaties were made for his acceptance of it, that, at the age of sixty, he began to conceive that his modesty had till then prevented him from being aware of his own talents, and that the court had at last discovered them. Thus did the well-wishers of M. Necker, and the Archbishop of Toulouse, fill the ministerial chair for an interval, as a box in a theatre is kept by a servant till the arrival of his master. Each party flattered itself with gaining time so as to secure the ministry for one of the two candidates, who alone had now a chance of it.

It was still perhaps not impossible to save the country from a revolution, or at least to preserve to government the control of public proceedings. No promise had as yet been given to convene the States General; the old methods of doing public business were not yet abandoned; perhaps the King, aided by the great popularity of M. Necker, might still have been enabled to accomplish the retrenchments neces-

sary to reinstate the finances. That department of government, bearing directly on public credit, and the influence of parliaments, might with propriety be called the key-stone of the arch. M. Necker, exiled at that time forty leagues from Paris, felt the importance of the crisis; and before the messenger, who brought him the news of the appointment of the Archbishop of Toulouse had left the room, he expressed himself to me in these remarkable words: "God grant that the new minister may succeed in serving his king and country better than I should have been able to do; circumstances are already of a nature to make the task perilous; but they will soon be such as to surpass the powers of any man."

CHAPTER X.

Sequel of the preceding.—Ministry of the Archbishop of Toulouse.

M. DE BRIENNE, Archbishop of Toulouse, had almost as little seriousness of character as M. de Calonne; but his clerical dignity, coupled with a constant ambition to attain a seat in the cabinet, had given him the outward gravity of a statesman; and he had the reputation of one, before he was placed in a situation to undeceive the world. He had laboured during fifteen years, through inferior channels, to acquire the esteem of the Queen; but the King, who had no opinion of clerical philosophers, had always refused to admit him to the ministry. He gave way at last, for Louis XVI. had not much confidence in himself; no man would have been happier had he been born king of England; for by being enabled to acquire a clear knowledge of the national wish, he would then have regulated his measures by that unfailing standard.

The Archbishop of Toulouse was not sufficiently enlightened to act the part of a philo-

sopher, nor sufficiently firm for that of a despot: he admired at one time the conduct of Cardinal Richelieu, at another the principles of the "*Encyclopedists;*" he attempted arbitrary measures, but desisted at the first obstacle; and, in truth, the things he aimed at were greatly beyond the possibility of accomplishment. He proposed several taxes, particularly the stamp tax; the parliament rejected it, on which he made the King hold a *lit de justice:* the parliaments suspended their judicial functions; the minister exiled them; nobody would come forward to take their place, and he conceived the plan of a plenary court, composed of the higher clergy and nobility. The idea was not bad, if meant in imitation of the English House of Peers; but a house of representatives, elected by the people, was a necessary accompaniment, as the plenary court was named by the King. The parliaments might be overturned by national representatives; but not by a body of Peers, extraordinarily convoked by the prime minister! The measure was so unpopular, that several even of the courtiers refused to take their places in the assembly.

In this state of things the acts, intended by government as acts of authority, tended only to show its weakness; and the Archbishop of

Toulouse, at one time arbitrary, at another constitutional, proved equally awkward in both.

Marshal de Segur had committed the great error of asking, in the eighteenth century, for proofs of nobility, as a condition to the rank of officer. It was necessary to have been ennobled for a hundred years to have the honour of defending the country. This regulation irritated the *Tiers Etat*, without producing the effect of attaching the nobility whom it favoured more to the authority of the Crown. Several officers of family declared, that, if desired to arrest members of the parliament, or their adherents, they would not obey the orders of the King. The privileged classes began the resistance to the royal authority, and the parliament pronounced the word upon which hung the fate of France.

The parliament called loudly on the minister to produce his account of the national receipt and expenditure, when the Abbé Sabatier, a counsellor of parliament, a man of lively wit, exclaimed, "You demand, Gentlemen, the states of receipt and expenditure (*etats de recette et de depence*), when it is the States General (*etats generaux*) that you ought to call for." This word, although introduced as a pun, seemed to cast a ray of light on the confused wishes of every one. He who had uttered it was sent to

prison; but the parliament, soon after, declared that it did not possess the power of registering taxes, although they had been in the habit of exercising that power during two centuries; and, instigated by the ambition to take a lead in the popular ferment, they relinquished at once to the people a privilege which they had so obstinately defended against the Crown. From this moment the revolution was decided, for there was but one wish among all parties—the desire of convoking the States General.

The same magistrates, who some time after gave the name of rebels to the friends of liberty, called for the convocation of the States with such vehemence, that the King thought himself obliged to arrest by his body guards, in the midst of the assembly, two of their members, MM. d'Espréménil and de Monsabert. Several of the *noblesse*, subsequently conspicuous as ardent opponents of a limited monarchy, then kindled the flame which led to the explosion. Twelve men of family from Brittany were sent to the Bastile; and the same spirit of opposition, which was punished in them, animated the other *noblesse* of their province. Even the clergy called for the States General. No revolution in a great country can succeed, unless it take its beginning from the higher orders; the

people come forward subsequently, but they are not capable of striking the first blows. By thus pointing out that it was the parliaments, the nobles, and the clergy, who first wished to limit the royal authority, I am very far from pretending to affix any censure to their conduct. All Frenchmen were then actuated by a sincere and disinterested enthusiasm; public spirit had become general; and, among the higher classes, the best characters were the most anxious that the wish of the nation should be consulted in the management of its own concerns. But why should individuals in these higher classes, who however began the revolution, accuse one man, or one measure of that man, as the cause of the revolution? "We were desirous," say some, "that the political change should stop at a given point;" "We were desirous," say others, "of going a little further." True—but the movement of a great people is not to be stopped at will; and, from the time that you begin to acknowledge its rights, you will feel yourself obliged to grant all that justice requires.

The archbishop of Toulouse now recalled the parliaments, but found them as untractable under favour as under punishment. A spirit of resistance gained ground on all sides, and peti-

tions for the States General became so numerous, that the minister was at last obliged to promise them in the King's name; but he delayed the period of their convocation for five years, as if the public would have consented to put off its triumph. The clergy came forward to protest against the five years, and the King gave a solemn promise to convene the assembly in May following (1789).

The archbishop of Sens (for that was now his title, he having taken care, in the midst of all the public troubles, to exchange his archbishopric of Toulouse for a much better one), seeing that he could not successfully play a despotic game, drew near to his old friends of the philosophic school, and, discontented with the higher classes, made an attempt to please the nation by calling on the writers of the day to give their opinion on the best mode of organizing the States General. But the world never gives a minister credit for his acts when they are the results of necessity; that which renders public opinion so deserving of regard, is its being a compound of penetration and power: it consists of the views of each individual, and of the ascendency of the whole.

The archbishop of Sens had stirred up the *Tiers Etat*, in the hope of supporting himself

against the privileged classes. The *Tiers Etat* soon intimated that it would take the place of representative of the nation in the States General; but it would not receive that station from the hand of a minister who returned to liberal ideas only after failing in an attempt to establish the most despotic institutions.

Finally, the archbishop of Sens completely exasperated all classes, by suspending the payment of a third of the interest of the national debt. A general cry was now raised against him; even the princes applied to the King to dismiss him, and so pitiable was his conduct that a number of people set him down for a madman. This, however, was by no means the case, he was on the contrary a sensible man in the current acceptation of the word; that is, he possessed the talents necessary to have made him an expert minister in the ordinary routine of a court. But no sooner does a nation begin to participate in the management of its own concerns, than all drawing-room ministers are found unequal to their situation: none will do then but men of firm principles; these alone can follow a steady and decisive course. None but the large features of the mind are capable, like the Minerva of Phidias, of producing effect upon crowds when viewed at a distance. Official

dexterity, according to the old plan of governing a country by the rules of a ministerial *bureau*, is calculated only to excite distrust in a representative government.

CHAPTER XI.

Did France possess a Constitution before the Revolution?

OF all modern monarchies France was certainly the one whose political institutions were most arbitrary and fluctuating; and the cause is probably to be sought in the incorporation, at very different periods, of the provinces that compose the kingdom. Each province had different claims and customs; the government skilfully made use of the old against the new ones, and the country became only gradually a whole.

Whatever may be the cause, it is an undoubted fact, that there exists no law in France, not even an elementary law, which has not, at some time or other, been disputed—nothing in short which has not been the object of difference of opinion. Did, or did not the legislative power reside in the kings? Could they, or could they not, impose taxes in virtue of their prerogative? (*de leur propre mouvement et certaine science.*) Or, the States General, were they the representatives of the people, to whom

alone belonged the right of granting subsidies? In what manner ought these States General to be composed? The privileged classes, who possessed two voices out of three, could they consider themselves as essentially distinct from the nation at large, and entitled, after voting a tax, to relieve themselves from its operation, and to throw its burden on the people? What were the real privileges of the clergy, who at one time held themselves to be independent of the King, at another independent of the Pope? What were the powers of the nobles, who, at one time, even down to the minority of Louis XIV. asserted the right of maintaining their privileges by force of arms in alliance with foreigners, while, at another time, they would acknowledge that the king possessed absolute power? What ought to be the situation of the *Tiers Etat*, emancipated by the kings, introduced into the States General by Philip le Bel, and yet doomed to be perpetually in a minority, since it had only one vote in three, and since its complaints could carry little weight, presented as they were to the monarch on the knee.

We are next to ask what was the political influence of the parliaments? These assemblies, which declared at one time that their sole business was to administer justice, at another that

they were the States General on a reduced scale, that is, the representatives of the representatives of the people. The same parliaments refused to acknowledge the jurisdiction of the intendants, who were the provincial administrators of the Crown; and the cabinet, on the other hand, contested with the *pays d'etat* the right, to which they pretended, of acquiescing in the taxes. The history of France would supply us with a crowd of examples of similar want of consistency in small things as in great; but enough of the deplorable results of this want of principle. Persons accused of state offences were almost all deprived of a fair trial; and many of them, without being brought before a court at all, have passed their lives in prisons, to which they had been sent by the sole authority of the executive power. The code of terror against Protestants, cruel punishments, and torture, still existed down to the revolution.

The taxes, which pressed exclusively on the lower orders, reduced them to hopeless poverty. A French civilian, only fifty years ago, continued to call the *Tiers Etat*, according to custom, the people taxable, and liable at mercy to seignorial service, (*la gent corvéable et taillable à merci et misericorde.*) The power of imprisoning and banishing, after being for some time

disputed, became a part of the royal prerogative; and ministerial despotism, a dexterous instrument for the despotism of the Crown, at last carried matters so far, as to admit the inconceivable maxim, that the king's will, *Si veut le roi, si veut la loi*, (as wills the king, so wills the law) was the only axiom of the French constitution.

The English, proud, and with reason, of their own liberty, have not failed to say, that if the national character of the French had not been adapted to despotism, they could not have borne with it so long; and Blackstone, the first of the English civilians, printed in the eighteenth century these words: "Kings might then, as in France or Turkey, imprison, dispatch, or exile, any man that was obnoxious to them, by an instant declaration that such is their will and pleasure.*" I postpone, till the end of the work, a view of the national character of the French, too much calumniated in these times; but I cannot avoid repeating, what I have already said, that the history of France will be found to exhibit as many struggles against despotic power as that of England. M. de Boulainvilliers, the great champion of the feudal system, asserts repeatedly, that the kings of

* Commentaries, book iv. chap. 27, § 5.

France had neither the right of coining money, of fixing the strength of the army, of taking foreign troops into their pay, nor, above all, of levying taxes, without the consent of the nobles. He is, indeed, somewhat concerned, that there should have been formed a second order out of the clergy, and, still more, a third out of the people; and he loses all patience with the kings of France for assuming the right of granting patents of nobility, which he calls enfranchisements; and with reason, because according to the principles of the aristocracy it is a discredit to be recently ennobled: neither is it less offence to the principles of liberty.

M. de Boulainvilliers is an aristocrat of the true kind, that is, without any mixture of the temper of a courtier, the most degrading of all. He considers the nation as confined to the nobility, and reckons that, in a population of more than twenty-four millions, there are not above one hundred thousand descendants of the Franks; for he excludes, and rightly, according to his system, all families ennobled by the Crown, as well as the clergy of the second rank; and, according to him, these descendants of the Franks being the conquerors, and the Gauls the conquered, the former alone can participate in the management of public business. The citizens of a state have a

right to share in making and preserving the laws; but if there are only one hundred thousand citizens in a state, it is they alone who possess this political right. The question, therefore, is, whether the 23,900,000 souls, at present composing the *Tiers Etat* in France, are, in fact, vanquished Gauls, or willing to be treated as such.

So long as the degraded condition of serf allowed things to go on in this manner, we find every where governments where liberties, if not liberty, have been perfectly acknowledged; that is, where privileges have obtained respect as rights. History and reason concur in showing, that if, under the first race of the kings of France, those who possessed the right of citizens had a right to sanction legislative acts; if, under Philippe le Bel, the free men of the *Tiers Etat* (far from numerous in that age, as the mass of the population still were *serfs*) were associated to the two other orders, it follows that the kings could not make use of them as a political counterpoise without acknowledging them for citizens. The inference is that these citizens were entitled to exercise the same powers, in regard to laws and taxes, as were at first exercised only by the *noblesse*. And, when the number of those who have

acquired the right of citizens becomes so great, that they cannot personally attend at public deliberations, the result clearly is the nomination of representatives.

The different provinces stipulated for certain rights and privileges as they became united to the Crown; and the twelve provincial parliaments were successively established, partly for the administration of justice, but particularly for ascertaining whether the royal edicts, which it belonged to them to promulgate or not, were or were not in unison with the provincial privileges, or with the fundamental laws of the kingdom. Yet their authority in this respect was very precarious. In 1484, when Louis XII. then Duke of Orleans, made a complaint to them of want of attention to the demands of the last States, they answered, that they were men of study, whose business related not to matters of government, but to the administration of justice. They soon after, however, advanced much higher claims, and their political power was such, that Charles V. sent two ambassadors to the parliament of Toulouse, to ascertain if they had ratified his treaty with Francis I. The Parliaments seemed therefore to have been intended as an habitual limitation of the royal authority; and the States General,

being superior to parliaments, should be considered as a still more powerful barrier. It was customary, in the middle ages, to mix the judicial with the legislative power; and the double power of the English peers, as judges in some cases, and legislators in all, is a remnant of this ancient conjunction. Nothing can be more natural in an uncivilized age, than that particular decisions should be antecedent to general laws. The respectability of the judges was in these days such as to make them considered the fittest persons to mould their own decisions into general laws. St. Louis was the first, as is believed, who erected the parliament into a court of justice; before his time it appears to have been only a royal council; but this sovereign, enlightened by his virtues, felt the necessity of giving strength to the institutions which secured the welfare of his subjects.

The States General had no connexion with the administration of justice: we thus recognize in the monarchy of France two powers, which, though badly organized, were each of them independent of the royal authority; the States General and the Parliaments. The ruling policy of the third race of kings was to extend immunities to the towns and to the inhabitants

of the country, that they might gradually bring forward the *Tiers Etat* as a counterpoise to the great lords. Philippe le Bel introduced the national deputies into the States General as a third order; because he stood in need of money, and because he dreaded the ill-will which his character had produced, and felt the want of support, not only against the nobles, but against the pope, by whom he was then persecuted. From this time forward (in 1302), the States General had, in right, if not in fact, equal legislative powers with the English parliament. Their decrees *(Ordonnances)* of 1355 and 1356 were as much in the spirit of liberty as the *Magna Charta* of England; but there was no provision for the annual convocation of this assembly, and its separation into three orders, instead of into two chambers, gave the king much greater means of setting them in opposition to one another.

The confusion of the political authority of the parliament, which was perpetual, and of that of the States General, which approached more to the elective form, is conspicuous in every reign of the kings of France of the third race. During the civil wars which took place, we find the King, the States General, and the parliament, each bringing forward different preten-

sions; but whatever were the avowed or concealed attempts of preceding monarchs, no one before Louis XIV. ever openly advanced a claim to absolute power. All the strength of the parliaments lay in their privilege of registry, that is, of giving that sanction to a law, without which it could not be promulgated, or executed. Charles VI. was the first king who attempted to change the *lit de justice*, which formerly meant nothing but the presence of the king at a parliamentary sitting, into an order to register, by express command, and in spite of remonstrance. The Crown was soon after obliged to cancel the edicts which the parliament had been made to accept by force; and a counsellor of Charles VI. who, after having approved of these edicts, supported the cancelling of them, being asked, by a member of parliament, his motive for such a change, replied: "Our rule is to desire what the king desires; we are regulated by the circumstances of the time; and find, by experience, that, in all the revolutions of courts, the best way to maintain our footing is to range ourselves on the stronger side." Really, in this respect, the perfectibility of our species seems exposed to an absolute negative.

Henry III. put a stop to the practice of inserting at the top of enregistered edicts, "*by express command*," lest the people should refuse

to obey them. Henry IV., who came to the crown in 1589, declared, himself, in one of his speeches, quoted by Joly, that the registry by parliament was necessary to the validity of royal edicts. The parliament of Paris, in its remonstrances against Mazarine's ministry, recalled the promises made by Henry IV. and quoted his own words upon the subject: "The authority of kings destroys itself in endeavouring to establish itself too firmly."

Cardinal Richelieu's political system entirely consisted in overthrowing the power of the *noblesse* by aid of the people; but before and even during his ministry, the magistrates of parliament always professed the most liberal maxims. Pasquier, under Henry III, said, "that monarchy was one of the forms of the republic;" meaning, by that word, the government whose object is the welfare of the people. The celebrated magistrate Talon thus expressed himself under Louis XIII.: "In former years, the orders of the king were not received or executed by the people, unless signed in the original by the grandees of the kingdom, the princes, and higher officers of the crown. This political jurisdiction has now devolved on the parliaments. We enjoy this second power, which the authority of time sanctions, which subjects suffer with patience, and honour with respect."

Such were the principles of the parliaments; they admitted, like the constitutionists of the present day, the necessity of the consent of the nation; but they declared themselves its representatives, without, however, having the power to deny that the claims of the States General were, in this respect, superior. The parliament of Paris took it amiss that Charles IX. should have declared himself arrived at majority at Rouen, and that Henry IV. should have convened the *notables*. This parliament, being the only one in which the peers of France occupied seats, could alone allege a title to political interference; yet every parliament in the kingdom made similar claims. A strange idea, that a body of judges, indebted for their office either to the King's appointment, or to the practice of purchasing their situations, should come forward and call themselves the representatives of the nation! Yet, singular as was the foundation of their claims, its practical exercise sometimes served as a check to arbitrary power.

The parliament of Paris had, it must be confessed, all along persecuted the protestants: horrible to say, it had even instituted an annual procession of thanks for the dreadful day of St. Bartholomew: but in this it was the instrument of party; and no sooner was fanaticism appeased,

than this same parliament, composed of men of integrity and courage, often resisted the encroachments of the throne and the ministers. But of what avail was their opposition, when, after all, silence might be imposed on them by a *lit de justice,* held by the king? In what then could the French constitution be said to consist?—in nothing but the hereditary nature of the royal power—a very good law doubtless, since it is conducive to the tranquillity of nations, but it is not a constitution.

The States General were convened only eighteen times between 1302 and 1789: that is, during nearly five centuries. Yet with them alone rested the power of sanctioning a tax; and if all had been regular, their assembling should have taken place each time that new taxes were imposed, but the kings often disputed their power in this respect, and acted in an arbitrary manner without them. The parliaments intervened in the sequel between the kings and the States General—not denying the unlimited power of the Crown, and yet maintaining that they were the guardians of the laws of the kingdom. But what law can there be in a country where the royal power is unlimited? The parliaments made remonstrances on the edicts laid before them; the king then

sent them a positive order to enregister these edicts, and to be silent. To have disobeyed would have been an inconsistency; since, after acknowledging the supremacy of the royal power, what were they themselves, or what could they say, without the permission of that very monarch whose power they professed to limit? This circle of pretended oppositions always ended in servitude, and its fatal mark has remained on the face of the nation.

France has been governed by custom, often by caprice, and never by law. There is not one reign like another in a political point of view; every thing might be supported, and every thing forbidden, in a country where the course of circumstances alone was decisive of what every one called his right. Will it be alleged that some of the *pays d'etats* maintained their treaties with the crown? They might found a course of argument on such treaties, but the royal authority cut short all difficulties, and the remaining usages were little else than mere forms, maintained or suppressed according to the will and pleasure of ministers. Did the *noblesse* possess privileges beyond that of exemption from taxes?—even that privilege a despotic king had it in his power to abolish. In fact, the *noblesse* neither could nor ought to

boast the possession of a single political right: for, priding themselves in acknowledging the royal authority to be unlimited, they could not complain, either of those special commissions which have sentenced to death the first lords in France, or of the imprisonment, or the exiles which they suffered. The king could do every thing, what objection was it then possible to make to any thing?

The clergy who acknowledged the power of the pope, and derived from it the power of the king, were alone entitled to make some resistance. But it was themselves who maintained the divine right on which despotism rests, well knowing that this divine right cannot be permanently supported without the priesthood. This doctrine, tracing all power from God, interdicted men from attempting its limitation. Such certainly are not the precepts of the Christian faith; but we speak at present of the language of those who wish to convert religion to their own purposes.

We thus see that the history of France is replete with attempts on the part of the nation and *noblesse*, the one to obtain rights, the other privileges; we see in it also continual efforts of most of the kings to attain arbitrary power. A struggle, similar in many respects, is exhibited in

the history of England; but as, in that country there all along existed two houses of parliament, the means of resistance were better, and the demands made on the Crown were both more important in their objects, and more wisely conducted than in France. The English clergy, not being a separate political order, they and the peers together composed almost half of the national representation, and had always much more regard for the people than in France. The great misfortune of France, as of every country governed solely by a court, is the domineering influence of vanity. No fixed principle gains ground in the mind; all is absorbed in the pursuit of power, because power is every thing in a country where the laws are nothing.

In England, the parliament combines in itself the legislative power, which, in France, was shared between the parliaments and the States General. The English parliament was considered permanent, but as it had little to do in the way of the administration of justice, the kings abridged its session, or postponed its meeting, as much as possible. In France the conflict between the nation and the royal authority assumed another aspect: resistance to the power of ministers proceeded with more constancy

and energy from those parliaments which did the duty of judicial bodies, than from the States General. But as the privileges of French parliaments were undefined, the result was, that the king was at one time kept in tutelage by them, and they, at another, were trampled under foot by the king. Two houses, as in England, would have done much less to clog the exercise of the executive power, and much more to secure the national liberty.

The revolution of 1789 had then no other object than to give a regular form to the limitations which have, all along, existed in France. Montesquieu pronounced the rights of intermediate bodies the strength and freedom of a kingdom. Now what intermediate body is the most faithful representative of all the national interests? The two Houses of Parliament in England;—and even, were it not absurd in theory to entrust a few privileged persons, whether of the magistracy or *noblesse*, with the exclusive discussion of the interests of a nation which has never been able to invest them legally with its powers, the recent history of France, presenting nothing but an almost unbroken succession of disputes relative to the extension of power, and of arbitrary acts committed in turn

by the different parties, sufficiently proves that it was high time to seek an improved form of national representation.

In regard to the right of the nation to be represented, this right has, ever since France existed, been acknowledged by the kings, the ministers, and the magistrates, who have merited the national esteem. The claim of unlimited prerogative has had, undoubtedly, a number of partizans; so many personal interests are involved in that opinion! But what names stand adverse to each other in this cause. Louis XI. must be opposed to Henry IV.; Louis XIII. to Louis XII.; Richelieu to De l'Hôpital; Cardinal Dubois to M. de Malesherbes; and, if we were to quote all the names preserved in history, we might assert at a venture, that, with few exceptions, wherever we meet with an upright heart or an enlightened mind, no matter in what rank of society, we shall there find a friend to liberty; while unlimited power has hardly ever been defended by a man of talent, and still less by a man of virtue.

The "*Maximes du Droit public François*," published in 1775 by a magistrate of the parliament of Paris, are perfectly accordant with those of the constituant assembly on the expe-

diency of balancing the different powers of the state, on the necessity of obtaining the consent of the people to taxes, on their participation in legislative acts, and on the responsibility of ministers. In every page the author recalls the existing contract between the king and the people, and his reasonings are founded on historical facts.

Other respectable members of the French magistracy maintain that there once were constitutional laws in France, but that they had fallen into disuse. Some say that they have ceased to be in vigour since the time of Richelieu, others since Charles V., others since Philippe le Bel, while a last party go as far back as Charlemagne. It was assuredly of little importance that such laws had ever existed, if they had been consigned to oblivion for so many ages. But it is easy to close this discussion. If there are fundamental laws, if it be true that they contain all the rights secured to the English nation, the friends of liberty will then be agreed with the partizans of the ancient order of things; and yet the treaty seems to me still a matter of difficult arrangement.

M. de Calonne who had declared himself adverse to the revolution, published a book to show that France had no constitution. M. de

Monthion, chancellor to the Comte d'Artois, published a reply to M. de Calonne, and entitled his work "A Report to his Majesty Louis XVIII. in 1796."

He begins by declaring, that if there were no constitution in France, the revolution was justified, as every people possess a right to a political constitution. This assertion was somewhat hazardous, considering his opinions; but he goes on to affirm, that by the constitutional statutes of France, the King had not the right of making laws without the consent of the States General; that Frenchmen could not be brought to trial but before their natural judges; that every extraordinary tribunal was contrary to law; that, in short, all *lettres de cachet*, all banishments, and all imprisonments founded merely on the King's authority, were illegal. He added, that all Frenchmen had a right to be admitted to public employments, that the military profession conferred the rank of gentleman on all who followed it; that the forty thousand municipalities of the kingdom had the right of being governed by administrators of their choice, with whom rested the assessment of the taxes imposed; that the King could order nothing without his council, which implied the responsibility of ministers; that there existed a ma-

terial distinction between the royal ordinances (*ordonnances*) or laws of the King and the fundamental laws of the state; that the judges were not pledged to obey the King's orders if at variance with the latter; and that the military force could not be employed in the interior, except to put down insurrection, or in fulfilment of the mandates of justice. He added, that the assembling at stated periods of the States General forms part of the French constitution, and concluded by saying, in the presence of Louis XVIII. that the English constitution is the most perfect in the world.

Had all the adherents of the old government professed such principles, the Revolution would have been without apology, since it would have been unnecessary. But the same writer has inserted in his work, in a solemn address to the King, the following sketch of the abuses existing in France before the Revolution.*

"The most essential right of citizenship, the right of voting on the laws and taxes, had, in a manner, become obsolete; and the Crown was in the habit of issuing, on its sole authority, those orders in which it ought to have had the concurrence of the national representatives.

* M. de Monthion's Report, p. 154 of the London edition.

"The right in question, though belonging essentially to the nation, seemed transferred to the parliaments; and the freedom even of *their* suffrages had been encroached on by arbitrary imprisonments and *lits de justice*.

"It frequently happened that the laws, regulations, and general decisions of the King, which ought to have been deliberated in council, and which made mention of the concurrence of the council, had never been laid before that body: and in several departments of business this official falsehood had become habitual. Several clerical dignitaries infringed the laws, both in letter and spirit, by holding a plurality of livings, by non-residence, and by the use that they made of the property of the church. A part of the *noblesse* had received their titles in a manner unbecoming the institution; and the services due by the body had not for a length of time been required.

"The exemption of the two first orders from taxes was sanctioned by the constitution, but was certainly not the proper kind of return for the services of these orders.

"Special commissions in criminal cases, composed of judges chosen in an arbitrary manner, certainly might alarm the innocent.

"Those unauthorized acts which deprived in-

dividuals of liberty, without a charge and without a trial, were so many infractions on the rights of citizens. The courts of justice, whose stability was so much the more important as, in the absence of a national representation, they constituted the only defence of the nation, had been suppressed and replaced by bodies of magistrates who did not possess the confidence of the people: and, since the irre-establishment, innovations had been attempted on the most essential points of their jurisdiction.

"But it was in matters of finance that the law had been most glaringly violated. Taxes had been imposed without the consent of the nation, or of its representatives; they had also been collected after the expiration of the time fixed by government for their duration.

"Taxes, at first of small amount, had been carried by degrees to an irregular and prodigious height; a part of the taxes pressed more on the indigent than the rich.

"The public burdens were assessed on the different provinces without any correct idea of the relative means of each. There was reason sometimes to suspect that deductions had been made in consequence of the resistance opposed to them; so that the want of patriotism had proved a cause of favourable treatment.

" Some provinces had succeeded in obtaining compositions for taxes, and, bargains of this kind being always in favour of the provinces, it was an indulgence to one part of the kingdom at the expense of the rest.

" The sums stipulated in these compositions remained always the same, while the other provinces were subject to official inquiries which annually increased the tax: this was another source of inequality.

" Another abuse consisted in assessing by officers of the Crown, or even by their commissioners, taxes of which the assessment should have been left to persons chosen from among those who were to pay them.

" Of some taxes the kings had made themselves judges in their council: commissions were to be established to decide on fiscal questions, the cognizance of which belonged properly to the courts of justice. The public debt which bore so hard on the nation had been contracted without its consent; the loans, to which the parliaments had given an assent which they had no right to give, had been exceeded by means of endless irregularities, which were so many acts of treachery at once to the courts of justice, whose sanctions were thus illusory; to the public creditors, who had competitors of whose ex-

istence they were ignorant; and to the nation, whose burdens were increased without its knowledge.

"The public expenditure was in no respect fixed by law; the funds intended for the civil list, the payment of the public dividends, and the current expense of government, were discriminated by no other authority than by a private and secret act on the part of the king.

"The personal expenses of our kings had been carried to an enormous amount; the provisions made for guaranteeing some portions of the public debt had been eluded; the king might quicken or delay, as he thought proper, the payments in various parts of the expenditure.

"In the pay of the army the sum appropriated to the officers was almost as great as that appropriated to the soldiers.

"The salaries of almost all government officers, of whatever description, were too high, particularly for a country where honour ought to be the principal, if not sole reward of services rendered to the state.

"The pension list had been carried to a much higher amount than that of other countries in Europe, keeping in view the relative amount of revenue.

"Such were the points on which the nation had just ground of complaint, and if we are to censure government for the existence of these abuses, we are likewise to censure the constitution which made their existence possible."

If such was the situation of France, and we can hardly refuse the evidence of a chancellor of the Comte d'Artois, especially when laid officially before the King; if then, such was the situation of France, even in the opinion of those who asserted that she possessed a constitution, —who can deny that a change was necessary, either to give a free course to a constitution hitherto perpetually infringed; or to introduce those securities, which might give the laws of the state the means of being maintained and obeyed?

CHAPTER XII.

On the Recall of M. Necker in 1788.

HAD M. Necker, when in the station of minister, proposed to convene the States General, he might have been accused of a dereliction of duty, since, with a certain party, it is a settled point, that the absolute power of kings is sacred. But at the time when the public opinion obliged the Court to dismiss the Archbishop of Sens, and to recall M. Necker, the States General had been solemnly promised: the nobles, the clergy, and the parliament, had solicited this promise; the nation had received it; and such was the weight of universal opinion on this point, that no force, either civil or military, would have come forward to oppose it. I consign this assertion to history; if it lessens the merit of M. Necker, by showing that he was not the cause of convening the States General, it places in the proper quarter the responsibility for the events of the Revolution. Would it have been possible for such a man as M. Necker to propose to a virtuous sovereign,

to Louis XVI., to retract his word? And of what use would have been a minister whose strength lay in his popularity, if the first act of that minister had been to advise the King to fail in the engagements that he had made with the people?

That aristocratical body, which finds it so much easier to cast calumny on a man than to confess the share that it bore itself in the general ferment; that very aristocracy, I say, would have been the first to feel indignant at the perfidy of the minister: he could not have derived any political advantage from the degradation to which he would have consented. When a measure, therefore, is neither moral nor useful, what madman, or what pretended sage, would come forward to advise it?

M. Necker, at the time when public opinion brought him back to the ministry, was more alarmed than gratified by his appointment. He had bitterly regretted going out of office in 1781, as he thought himself sure at that time of doing a great deal of good. On hearing of the death of M. de Maurepas, he reproached himself with having, six months before, given in his resignation, and I have always present to my recollection his long walks at St. Ouen, in which he often repeated that he tormented him-

self with his reflections and with his scruples. Every conversation that revived the recollection of his ministry, every encomium on that subject, gave him pain. During the seven years which elapsed between his first and second ministry, he was in a state of perpetual chagrin at the overthrow of his plans for improving the situation of France. At the time when the Archbishop of Sens was called to office, he still regretted his not being appointed; but in 1788, when I came to apprize him, at St. Ouen, of his approaching nomination, he said to me, "Ah! why did they not give me those fifteen months of the Archbishop of Sens?—now it is too late."

M. Necker had just published his work upon the importance of religious opinions. His rule throughout life was to attack a party when in all its strength; his pride led him to that course. It was the first time that a writer, sufficiently enlightened to bear the name of a philosopher, came forward to mark the danger arising from the irreligious spirit of the eighteenth century; and this work had filled its author's mind with thoughts of a much higher nature than can be produced by temporal interests, even of the highest kind. Accordingly he obeyed the King's orders with a feeling of regret, which I was certainly far from sharing: on observing my delight,

he said, "The daughter of a minister feels nothing but pleasure; she enjoys the reflection of her father's power; but power itself, particularly at this crisis, is a tremendous responsibility." He judged but too well—in the vivacity of early youth, talent, if it be possessed, may enable the individual to speak like one of riper years; but the imagination is not a single day older than ourselves.

In crossing the *Bois de Boulogne* at night to repair to Versailles, I was in great terror of being attacked by robbers; for it appeared to me that the happiness which I felt at my father's elevation was too great not to be counterpoised by some dreadful accident. No robbers came to attack me, but the future but too fully justified my fears.

I waited on the Queen according to custom on the day of St. Louis: the niece of the Archbishop of Sens, who had that morning been dismissed from office, was also at the levee; and the Queen showed clearly, by her manner of receiving the two, that she felt a much stronger predilection for the removed minister, than for his successor. The courtiers acted differently; for never did so many persons offer to conduct me to my carriage. Certainly, the disposition of the Queen proved, at that time, one of

the great obstacles that M. Necker encountered in his political career; she had patronized him during his first ministry, but in the second, in spite of all his efforts to please her, she always considered him as appointed by public opinion; and in arbitrary governments, sovereigns are, unfortunately, in the habit of considering public opinion as their enemy.

M. Necker, on entering on office, found only two hundred and fifty thousand francs in the public treasury; but the next day the monied men brought him considerable sums. The stocks rose thirty per cent. in one morning;—such an effect on public credit, resulting from confidence in a single man, is wholly without example in history. M. Necker obtained the recall of all the exiles, and the deliverance of all persons imprisoned for matters of opinion; among others, of the twelve gentlemen from Brittany, whom I have already mentioned. In short, he did all the good, in regard to individuals, and matters of detail, which could be effected by a minister; but by this time the importance of the public had increased, and that of men in office was in consequence proportionally lessened.

CHAPTER XIII.

Conduct of the last States General, held at Paris in 1614.

THE aristocratical party, in 1789, were perpetually demanding the adoption of ancient usages. The obscurity of time is very favourable to those who are not disposed to enter on a discussion of truth on its own merits. They called out incessantly, "Give us 1614, and our last States General; these are our masters, these are our models."

I shall not stop to show that the States General, held at Blois, in 1576, were almost as different, in point both of composition and form of proceeding, from the Paris assembly of 1614, as from their predecessors under King John and Louis XII. No meeting of the three orders having been founded on clear principles, none had led to permanent results. It may, however, be interesting to recall some of the principal characteristics of the last States General, brought forward, as they were, after a lapse of

nearly two centuries, as a guide to the assembly of 1789.

The *Tiers Etat* proposed to declare, that no power, spiritual or temporal, had a right to release the king's subjects from their allegiance to him. The clergy, through the medium of Cardinal du Perron, opposed this, making a reservation of the rights of the Pope; the noblesse followed the example, and received, as well as the clergy, the warm and public thanks of his Holiness. Those who speak of a compact between the nation and the Crown are liable, even in our days, to be considered Jacobins; but in those times, the argument was, that the royal authority was dependent on the head of the church.

The edict of Nantes had been promulgated in 1598, and the blood of Henry IV., shed by the adherents of the League, had hardly ceased to flow, when the protestants among the *noblesse* and *Tiers Etat* demanded, in 1614, in the declaration relative to religion, a confirmation of the articles in the edict of Henry, which established the toleration of their form of religion; but this request was rejected.

M. de Mesme, *lieutenant civil*, addressing the *noblesse* on the part of the *Tiers Etat*, declared that the three orders ought to consider

themselves as three brothers, of whom the *Tiers Etat* was the youngest. Baron de Senneci answered in the name of the *noblesse*, that the *Tiers Etat* had no title to this fraternity, *being neither of the same blood nor of equal virtue.*

The clergy required permission to collect tithes in all kinds of fruit and corn, and an exemption from the excise duties paid on articles brought into the towns, as well as from contributing to the expense of the roads; they also required further restraints on the liberty of the press. The *noblesse* demanded that the principal offices of state should be bestowed on men of family only, and that the plebeians (*roturiers*) should be forbidden the use of arquebuses, pistols, and even of dogs, unless houghed, to prevent their being employed in the chase. They required, also, that the plebeians should pay further seignorial duties to the proprietors of fiefs; that all pensions granted to the *Tiers Etat* should be suppressed, while their own body should be exempt from personal arrest, and from all taxes on the product of their lands. They asked further, a right to receive salt from the king's granaries at the same price as the merchants; and, finally, that the *Tiers Etat* should be obliged to wear a different dress from that of persons of family.

I abridge this extract from the Minutes of the Assembly of 1614, and could point out a number of other ridiculous things, were not our attention wholly required by those that are revolting. It is, however, quite enough to prove that the separation of the three orders served only to give occasion to the constant demands of the *noblesse* to escape taxes, to secure new privileges, and to subject the *Tiers Etat* to all the humiliations that arrogance can invent. A claim of exemption from taxes was made in like manner by the clergy, and accompanied with all the vexatious demands of intolerance. As to the public welfare, it seemed to affect only the *Tiers Etat*, since the weight of taxation fell totally upon them. Such was the spirit of that assembly, which it was proposed to revive in the States General of 1789; and M. Necker is to this day censured for having desired to introduce modifications into such a course of proceeding.

CHAPTER XIV.

The Division of the States General into Orders.

THE States General of France were, as I have just mentioned, divided into three orders—the clergy; the nobility; and the *Tiers Etat;* and accustomed to deliberate separately, like three distinct nations: each presented its grievances to the King, and each confined itself to its particular interests, which had, according to circumstances, more or less connexion with the interests of the public at large. In point of numbers, the *Tiers Etat* comprised almost the whole population; the two other orders forming scarcely a hundredth part of it. Having gained greatly in relative importance in the course of the last two centuries, the *Tiers Etat* demanded, in 1789, that the mercantile body, or the towns, without reference to the country, should have enough deputies to render the number of the representatives of their body equal to that of the two other orders together; and this demand was supported by motives and circumstances of the greatest weight.

The chief cause of the liberty of England

has been the uniform practice of deliberating, in two chambers instead of three. In no country where the three orders have remained separate, has a free form of government as yet been established. The division into four orders, as is at present the case in Sweden, and was formerly in Arragon, is productive of delay in public business; but it is much more favourable to liberty. The order of peasants in Sweden, and in Arragon the equestrian order, gave two equal shares to the representatives of the nation, and to the privileged classes of the first rank; for the equestrian order, which may be compared to the House of Commons in England, naturally supported the interests of the people. The result therefore of the division into four orders was, that in these two countries, Sweden and Arragon, liberal principles were early introduced and long maintained. Sweden has still to desire that her constitution be assimilated to that of England; but we cannot fail to respect that feeling of justice, which, from the earliest time, admitted the order of peasants into the diet. The peasantry of Sweden are accordingly enlightened, happy, and religious, because they have enjoyed that sentiment of tranquillity and dignity which can arise only from free institutions. In Germany

the clergy have had seats in the upper house, but without constituting a separate order, and the natural division into two chambers has been always maintained. Three orders have existed only in France, and in a few states, such as Sicily, which did not form a separate monarchy. This unfortunate division, having had the effect of giving always a majority to the privileged classes against the nation, has often induced the French people to prefer arbitrary power in the Crown to that dependence on the aristocratic orders, in which they were placed by such division.

Another inconvenience in France arose from the number of gentry of the second order, ennobled but yesterday, either by the letters of *noblesse* granted by the kings, as a sequel to the enfranchisement of the Gauls, or by purchased offices, such as that of secretary to the King, &c. which had the effect of associating new individuals to the rights and privileges of the old *noblesse*. The nation would have willingly submitted to the pre-eminence of the families whose names are distinguished in history, and who, I can affirm, without exaggeration, do not in France exceed two hundred. But the hundred thousand nobles, and the hundred thousand clergy, who laid their claim for privileges equal to those of MM. de Montmorency, de

Grammont, de Crillon, &c. were productive of general discontent; for merchants, capitalists, and men of letters, were at a loss to understand the superiority granted to a title acquired by money or obsequiousness, and to which a term of twenty-five years was deemed sufficient to give admittance to the chamber of nobles, and to privileges of which the most respected members of the *Tiers Etat* were deprived.

The House of Peers in England is an assemblage of patrician magistrates, indebted for its origin, no doubt, to the ancient recollections of chivalry; but entirely associated with institutions of a very different nature. Admission into it is daily obtained by eminence, sometimes in commerce, but particularly in the law; while the duty of national representatives, discharged by the peers in the state, affords the nation an assurance of the utility of the institution. But what advantage could the French derive from those Viscounts of the Garonne, or those Marquisses of the Loire, who not only did not pay their proportion of taxes to the state, but could not even be received at court, since for that purpose a proof of nobility for more than four centuries was necessary, and most of them could go hardly fifty years back? The vanity of this class of people could be displayed only

on their inferiors, and these inferiors were twenty-four millions in number.

It may be conducive to the dignity of an established church that there be archbishops and bishops in the Upper House, as in England. But what improvement could be ever accomplished in a country where the Catholic clergy composed a third of the representation, and had an equal voice with the nation itself, even in legislative measures? Was it likely that this clergy would give its consent to religious toleration, or to the admission of Protestants to public offices? Did it not obstinately refuse the equalization of taxes, that it might keep up the form of free gifts, which increased its importance with government? When *Philippe le Long* dismissed churchmen from the parliament of Paris, he said, "That they ought to be too much occupied with spiritual matters to have time for temporal ones." Why have they not all along submitted to this wise maxim?

Never was there any thing decisive done by the States General, merely from their unfortunate division into three instead of two orders. The chancellor de l'Hôpital could not obtain his edict of peace, even temporarily, except from a convocation at St. Germains, in 1562, in which,

by a rare accident, the clergy were not present.

The assemblies of *Notables*, called together by the kings, almost all decided by individual votes; and the parliament, which in 1558 had at first consented to form a fourth and separate order, required in 1626 to vote individually in an assembly of *Notables*, that they might not be distinguished from the *noblesse*. The endless fluctuations exhibited in all the usages of France are more conspicuous in the composition of the States General, than in any other political institution. Were we to insist obstinately on the past, as forming an immutable law for the present, we should be immersed in endless disputes, and should find that the past, which is brought forward as our guide, was itself founded on an alteration of an earlier "past." Let us return then to matters that are less equivocal; the events of which we have been eye-witnesses.

The archbishop of Sens, acting in the King's name, invited the eminent writers of the day to publish their opinion on the mode of convening the States General. Had there existed constitutional laws decisive of the question, would the minister of the Crown have consulted the nation in this respect, through the medium of the press? The archbishop of Sens, in esta-

blishing provincial assemblies, had not only rendered in them the number of deputies of the *Tiers Etat* equal to that of the two other orders collectively, but he had determined in the King's name, that the voting should take place individually. The public mind was thus strongly prepared, both by the measures of the archbishop of Sens, and by the strength of the *Tiers Etat* itself, to obtain for the latter, in 1789, a larger share of influence, than in antecedent assemblies of the States General. There was no law to fix the number of the three orders; the only established principle was, that each order should have one voice. Had not a legal provision been made for a double representation of the *Tiers Etat*, it was undoubted that the nation, irritated at the refusal of its demand, would have sent a still greater number of deputies to the States General. Thus, all those symptoms of a political crisis, of which it is the part of a statesman to take cognizance, indicated the necessity of giving way to the spirit of the age.

Yet M. Necker did not take on himself to follow the course, which, in his own judgment, would have been the best; and confiding, it must be admitted, too much in the power of reason, he advised the King to assemble once

more the *Notables* already convoked by M. de Calonne. The majority of these *Notables*, consisting of the privileged classes, were adverse to doubling the representatives of the *Tiers Etat*. One division only of the assembly gave an affirmative opinion, and that division was under the presidency of Monsieur (now Louis XVIII). It is gratifying to think that a king, the first author of a constitutional charter proceeding from the throne, was at that time in unison with the people, on the important question which the aristocrats still seek to represent as the cause of the overthrow of the monarchy.

M. Necker has been blamed for consulting the *Notables* without following their opinion—his fault lay in consulting them at all; but could any one imagine that that assembly, which had lately shown itself so adverse to the abuse of royal authority, should so soon defend the unjust claims of their own, with a pertinacity so much at variance with the opinion of the nation? Yet M. Necker suspended the decision of the question of doubling the *Tiers Etat*, as soon as he saw that a majority of the *Notables* differed from him; and there elapsed more than two months between the close of their sittings and the decision of the council on 27th De-

cember, 1788. During this interval, M. Necker studied constantly the public feeling as the compass which, on this point, ought to guide the decisions of the King. The unanimity of the provinces was positive in regard to the necessity of granting the demands of the *Tiers Etat*, for the party of the unmixed aristocrats (*aristocrats purs*) was, as it had ever been, far from numerous; many of the *noblesse* and clergy of the class of *curés* had gone over to the public opinion. The province of Dauphiny assembled, at Romans, its ancient states, whose meetings had long been discontinued, and admitted there, not only the doubling of the deputies of the *Tiers Etat*, but the voting individually. A number of officers of the army discovered a disposition to favour the popular wish. All, whether men or women, who in the higher circles exercised influence on the public opinion, spoke warmly in favour of the national cause. Such was the prevailing fashion; it was the result of the whole of the eighteenth century; and the old prejudices, which still favoured antiquated institutions, had at that time much less strength than at any other period, during the twenty-five years that ensued. In short, the ascendency of the popular wish was so great, that it carried along with it the parliament it-

self. No body ever showed itself more ardent in the defence of ancient usages, than the parliament of Paris; every new institution seemed to it an act of rebellion, because, in fact, its own existence could not be founded on the principles of political liberty. Offices that were purchased by the occupants, a judicial body pretending to a right to pass bills for taxes, yet renouncing that right at the command of the King; all these contradictions, which could only be the result of chance, were ill calculated to bear discussion, consequently, they appeared singularly suspicious in the French magistracy. All requisitions against the liberty of the press proceeded from the parliament of Paris; and if they opposed a limit to the active exercise of the royal authority, they, on the other hand, encouraged that kind of ignorance, which is of all things most favourable to absolute power. A body so strongly attached to ancient usages, and yet composed of men entitled by their virtues in private life to much esteem, decided the question naturally enough, by declaring that, "as the number of the deputies of each order was not fixed by any usage or any law, it remained to be regulated by the wisdom of the King." This took place in the beginning of December,

1788, two months after the assembly of the *Notables.**

* Extract of the decree of Parliament of 5th Dec. 1788, the peers being present.

Considering the actual situation of the nation, &c., this court declares, that, in distinguishing in the States General of 1614, the convoking, the composition, and the number:

In regard to the first point the court must call for the form established at that period; that is, convoking by bailliwicks and senechalships, not by governments, or *generalités*; this form, sanctioned century after century by many examples, and by the last States, being the only method to obtain a complete assemblage of the electors in the legal form before officers independent from their situation.

In regard to the composition of the assembly, the court neither could nor ought to infringe in the slightest manner on the right of the electors; a right founded in nature, in the constitution, and hitherto respected—that of committing their powers to the citizens whom they judge most deserving of them.

In respect to the number, that of the respective deputies not being determined by any law, or any usage, for any of the orders, it has not been within the powers or intention of this court to decide it; the said court can only trust to the wisdom of the King for the measures necessary to arrive at that course which reason, liberty, justice, and the general wish shall point out. The said Parliament has further decreed, that the said Lord the King should be most humbly entreated to permit no longer delay in assembling the States General, and to take into his consideration, that there would be no cause for agitation in the public mind, or disquietude

What! could the body that was considered as the representative of the past, yielding to the opinion of the day, relinquish indirectly on this

in the orders, if he were pleased, on calling together that assembly, to declare as sacred

The future assembling of the *Etats Généraux*;

Their right to assign, as a security, certain fixed taxes to the public creditors; their duty to the people to grant no other tax without defining it both as to amount and duration; their right to fix and appropriate freely the funds of each department at the demand of the King;

The resolution of our said Lord the King to take steps to suppress all taxes which constitute a distinction between the higher orders and the class which alone supports them, and to replace them by taxes payable equally by the kingdom at large;

The responsibility of ministers;

The right of the States General to bring actions before the courts of justice in all cases that directly interest the nation at large, without prejudicing the rights of the King's *procureur general* in similar cases;

A connexion between the States General and the higher courts of justice, of such a nature that the courts ought not, and cannot suffer the collection of any tax unless legally voted, nor further the execution of any law not passed by the States General;

The individual liberty of citizens by the obligation to bring every man detained in a royal prison forthwith before his natural judges;

And the legitimate liberty of the press, the only prompt and sure resource of men of character against the licentious-

occasion the maintenance of ancient customs! and could the minister, whose whole strength lay in his respect for the nation, have taken on himself to refuse that nation what in his conscience he thought equitable; what in his judgment he deemed necessary!

But this is not all. At that time the adversaries of the King's authority were the privileged orders, while the *Tiers Etat* were desirous of rallying round the Crown; and had not the King withdrawn himself from the representatives of the *Tiers Etat*, after the opening of the assembly, there is not a doubt that they would have supported his prerogative. When a sovereign adopts a system in politics, he ought to follow it with constancy, for changes bring on

ness of the worthless; leaving, however, the author or publisher answerable for his writings after they are printed.

By means of these preliminary arrangements, which are from this moment in the hands of his Majesty, and without which there cannot exist a truly national assembly, it appears to this court that the King would afford the members of the magistracy the most gratifying return for their zeal, by procuring to the nation, by means of well established liberty, all the happiness to which it is entitled.

Decrees, consequently, that the motives, the principles, and the wishes of this decree shall be laid before our Lord the King, through the medium of very humble and respectful supplication.

him the disadvantages of all the opposing parties. "A great revolution," said Monsieur (Louis XVIII.) to the municipality of Paris, in 1789, "is at hand; the King, by his views, his virtues, and his supreme rank, ought to be at its head." All that wisdom could suggest on the occasion is contained in these words.

M. Necker, in the report accompanying the result of the council of 27th December, announced in the King's name, that his Majesty would grant the suppression of the *lettres de cachet*, the liberty of the press, and the reassembling of the States General at stated periods for the revision of the finances. He endeavoured to snatch from the future deputies the good they were desirous of doing, that he might engross the affection of the people for the King. And no resolution, that ever proceeded from a throne, was productive of such enthusiasm as the result of the Council. Addresses of congratulation arrived from all parts of the kingdom; and among the numberless letters received by M. Necker, two of the most remarkable were those from the Abbé, afterwards Cardinal, Maury, and from M. de Lamoignon. The royal authority had at that time more power over the public mind than ever;

the nation admired that strength of reason, and that candour, which made the King anticipate the reforms demanded by it; while the Archbishop of Sens had placed him in the most precarious situation, by advising him to refuse to-day what he was obliged to grant to-morrow.

To profit however by this popular enthusiasm, it was necessary to proceed firmly in the same road. But six months after, the King followed a perfectly opposite plan; why then should M. Necker be accused of events which resulted from the rejection of his opinion, and the adoption of that of the opposite party? When an unskilful commander loses a campaign victoriously begun by another, is it ever said that the victor of the early part is answerable for the defeat of a successor, whose manner of seeing and acting is entirely different? Some, however, will ask, was not the voting individually, instead of by orders, the natural result of doubling the representatives of the *Tiers Etat*; and have we not seen the consequence of the union of the three orders in one assembly? The natural consequence of the doubling of the *Tiers Etat* would have been deliberating in two chambers; and far from fearing such a result, it ought to have been desired. Why, then, will M. Necker's adversaries say, did not he

make the King express a resolution on this point, at the time that the royal consent was given to doubling the deputies? He did not do it, because he thought that a change of such a nature ought to be concerted with the representatives of the people; but he proposed it as soon as these representatives were assembled. Unfortunately, the aristocratic party opposed it, and ruined France in ruining themselves.

A scarcity of corn, such as had not for a long time been felt in France, threatened Paris with famine in the winter of 1788, 1789. The infinite exertions of M. Necker, and the deposit of his own fortune, the half of which he had placed in the treasury, were the means of preventing incalculable calamities. Nothing excites so strong a disposition to discontent among the people as a dread of scarcity; yet, such was their confidence in the administration, that no tumult whatever occurred.

The States General bade fair to meet under favourable auspices; the privileged orders could not, from their situation, abandon the throne, although they had shaken it; the deputies of the *Tiers Etat* were grateful for the attention shown to their demands. There still remained, it is true, very serious subjects of contention between the nation and the privileged classes;

but the King was so placed as to act the part of arbiter, by reducing his own power to a limited monarchy: if indeed the name of reduction can be given to the erection of barriers, which defend you from your own errors, and still more from those of your ministers. A monarchy wisely limited may be compared to an honest man, in whose soul conscience always presides over conduct.

The act of the council of 27th December was adopted by the ablest ministers of the Crown, such as MM. de St. Priest, de Montmorin, and de la Luzerne; the Queen herself thought proper to be present at the debate on doubling the members of the *Tiers Etat*. It was the first time that she appeared at council; and the approbation given spontaneously by her to the measure proposed by M. Necker might be considered in the light of an additional sanction; but M. Necker, acting in fulfilment of his duty, necessarily took the responsibility on himself. The whole nation, with the exception of perhaps a few thousand individuals, were at that time of his opinion; since then, none but the friends of justice and of political liberty, such as it was understood on the opening of the States General, have remained consistent during twenty-five years of vicissitude. They are few

in number, and death thins them daily; but death alone has the power of diminishing this faithful band; for neither corruption nor terror would be able to detach the most obscure combatant from its ranks.

CHAPTER XV.

What was the public Feeling of Europe at the Time of convening the States General.

PHILOSOPHIC views, that is, the appreciation of things from reason, and not from habit, had made so much progress in Europe, that the possessors of privileges, whether kings, nobles, or clergy, were the first to confess the unfairness of the advantages they enjoyed. They wished to preserve them, but they laid claim to the honour of being indifferent about them; and the more dexterous among them flattered themselves that they could lull the public opinion so as to prevent its contesting the retention of that which they had the appearance of disdaining.

The Empress Catharine professed to follow Voltaire; Frederic II. was almost his rival in literature; Joseph II. was the most decided philosopher in his dominions; the King of France had twice taken, in America and in Holland, the part of the subjects against their prince; his policy had led him to support the

one against their King, the other against their Stadtholder. In England the state of feeling, on all political principles, was quite in harmony with the constitution; and, before the French revolution, there was certainly a stronger spirit of liberty in England than at present.

M. Necker was then perfectly right when he said, in the act of council of 27th December (1788), that the voice of Europe (*bruit sourd de l'Europe*) invited the King to consent to the wishes of the nation. The English constitution, which it then desired, it again calls for at the present day. Let us examine, with impartiality, what are the storms which drove her from that haven, in which alone she can find a secure retreat.

CHAPTER XVI.

Opening of the States General on the 5th May, 1789.

I SHALL never forget the hour that I saw the twelve hundred deputies of France pass in procession to church to hear mass, the day before the opening of the assembly. It was a very imposing sight, and very new to the French; all the inhabitants of Versailles, and many persons attracted by curiosity from Paris, collected to see it. This new kind of authority in the state, of which neither the nature nor the strength was as yet known, astonished the greater part of those who had not reflected on the rights of nations.

The higher clergy had lost a portion of its influence with the public, because a number of prelates had been irregular in their moral conduct, and a still greater number employed themselves only in political affairs. The people are strict in regard to the clergy, as in regard to women; they require from both a close observance of their duties. Military fame, which

is the foundation of reputation to the *noblesse*, as piety is to the clergy, could now only appear in the past. A long peace had deprived those noblemen who would have most desired it of the opportunity of rivalling their ancestors; and the men of the first rank in France were nothing more than *illustres obscurs*. The *noblesse* of the second rank had been equally deprived of opportunities of distinction, as the nature of the government left no opening to men of family but the military profession. The *noblesse* of recent origin were seen in great numbers in the ranks of the aristocracy; but the plume and sword did not become them; and people asked why they took their station with the first class in the country, merely because they had obtained an exemption from their share of the taxes; for in fact their political rights were confined to this unjust privilege.

The nobility having fallen from its splendour by its courtier habits, by its intermixture with those of recent creation, and by a long peace; the clergy possessing no longer that superiority of information which had marked it in days of barbarism, the importance of the deputies of the *Tiers Etat* had augmented from all these considerations. Their imposing numbers, their confident looks, their black

cloaks and dresses, fixed the attention of the spectators. Literary men, merchants, and a great number of lawyers, formed the chief part of this order. Some of the nobles had got themselves elected deputies of the *Tiers Etat*, and of these the most conspicuous was the Comte de Mirabeau. The opinion entertained of his talents was remarkably increased by the dread excited by his immorality; yet it was that very immorality that lessened the influence which his surprising abilities ought to have obtained for him. The eye that was once fixed on his countenance was not likely to be soon withdrawn: his immense head of hair distinguished him from amongst the rest, and suggested the idea that, like Samson, his strength depended on it: his countenance derived expression even from its ugliness; and his whole person conveyed the idea of irregular power, but still such power as we should expect to find in a tribune of the people.

His name was as yet the only celebrated one among the six hundred deputies of the *Tiers Etat;* but there were a number of honourable men, and not a few that were to be dreaded. The spirit of faction began to hover over France, and was not to be overcome but by wisdom or power. If therefore public opinion had by this

time undermined power, what was to be accomplished without wisdom?

I was placed at a window near Madame de Montmorin, the wife of the Minister of Foreign Affairs, and I confess I gave myself up to the liveliest hope on seeing national representatives for the first time in France. Madame de Montmorin, a woman nowise distinguished for capacity, said to me, in a decided tone, and in a way which made an impression upon me, "You do wrong to rejoice; this will be the source of great misfortunes to France and to us." This unfortunate woman perished on the scaffold along with one of her sons; another son drowned himself; her husband was massacred on the 2d of September; her eldest daughter died in the hospital of a prison; and her youngest daughter, Madame de Beaumont, an intelligent and generous creature, sunk under the pressure of grief before the age of thirty. The family of Niobe was not doomed to a more cruel fate than that of this unhappy mother; one would have said that she had a presentiment of it.

The opening of the States General took place the next day; a large hall had been hastily erected in the avenue of Versailles, to receive the deputies. A number of spectators were admitted to witness the ceremony. A platform

floor was raised to receive the King's throne, the Queen's chair of state, and seats for the rest of the royal family.

The Chancellor, M. de Barentin, took his seat on the stage of this species of theatre; the three orders were, if I may so express myself, in the pit, the clergy and *noblesse* to the right and left, the deputies of the *Tiers Etat* in front. They had previously declared that they would not kneel on the entrance of the King, according to an ancient usage still practised on the last meeting of the States General. Had the deputies of the *Tiers Etat* put themselves on their knees in 1789, the public at large, not excepting the proudest aristocrats, would have termed the action ridiculous, that is, wholly inconsistent with the opinions of the age.

When Mirabeau appeared, a low murmur was heard throughout the assembly. He understood its meaning; but stepping along the hall to his seat with a lofty air, he seemed as if he were preparing to produce sufficient trouble in the country to confound the distinctions of esteem as well as all others. M. Necker was received with bursts of applause the moment he entered; his popularity was then at its height; and the King might have derived the greatest advantage from it, by remaining stedfast in the system of

which he had adopted the fundamental principles.

When the King came to seat himself on his throne in the midst of this assembly, I felt, for the first time, a sensation of fear. I observed that the Queen was much agitated; she came after the appointed time, and her colour was visibly altered. The King delivered his discourse in his usual unaffected manner; but the looks of the deputies were expressive of more energy than that of the Monarch, and this contrast was disquieting at a time, when, nothing being as yet settled, strength was requisite to both sides.

The speeches of the King, the Chancellor, and M. Necker, all pointed to the re-instatement of the finances. That of M. Necker contained a view of all the improvements of which the administration was capable; but he hardly touched on constitutional questions; and confining himself to cautioning the assembly against the precipiation of which it was too susceptible, he made use of a phrase which has since passed into a proverb, "*Ne soyez pas envieux du temps,*"—"do not expect to do at once that which can be accomplished only by time." On the rising of the assembly, the popular party, that is, the majority of the

Tiers Etat, a minority of the *noblesse*, and several members of the clergy, complained that M. Necker had treated the States General like a provincial administration, in speaking to them only of measures for securing the public debt, and improving the system of taxation. The grand object of their assembling was, doubtless, to form a constitution; but could they expect that the King's minister should be the first to enter on questions which it belonged to the representatives of the nation to introduce.

On the other hand, the aristocratic party, having seen from M. Necker's speech that in the course of eight months he had sufficiently re-instated the finances to be able to go on without new taxes, began to blame the minister for having convened the States General, since there was no imperious call for them on the score of money. They no doubt forgot that the promise of convening them had been given by the Crown before the recall of M. Necker. In this, as in almost every other point, he observed a medium; for he would not go the length of saying to the representatives of the people, "Employ yourselves only on a constitution;" and still less would he consent to relapse into the arbitrary system, by contenting

himself with momentary resources, that would neither have given a stable assurance to the public creditors, nor have satisfied the people in regard to the appropriation of its sacrifices.

CHAPTER XVII.

Of the Resistance of the privileged Orders to the Demands of the Tiers Etat in 1789.

M. DE LA LUZERNE, bishop of Langres, one of the soundest minds in France, wrote, on the opening of the States General, a pamphlet, to propose that the three orders should form themselves into two chambers, the higher clergy uniting with the Peers, and the lower with the Commons. The Marquiss of Montesquiou, afterwards a general, made a motion to this effect in the Chamber of the nobility, but in vain. In short, all enlightened men felt the necessity of putting an end to this manner of deliberating in three bodies, each of which could impose a *veto* upon the other; for, to say nothing of its injustice, it rendered the public business interminable.

In social, as in natural order, there are certain principles from which we cannot depart without creating confusion. The three powers, monarchy, aristocracy, and democracy, are in the essence of things; they exist in all governments; as action, preservation, and renewal,

exist in the course of nature. If you ntroduce into the political organization a fourth power, the clergy, who are all or nothing, according as they are considered, you can no longer establish definite reasoning on the laws necessary for the public welfare, because you are embarrassed by secret authorities, where you ought to admit no guidance but the public interest.

France, at the time the States General were assembled, was threatened by two great dangers, financial bankruptcy, and famine; and both required speedy relief. How would it have been possible to adopt expeditious measures, while each order had its *veto*. The two first would not consent to an unconditional equality of taxes, while the nation at large demanded that this measure should be employed, before any other, for the re-establishment of the finances. The privileged classes had indeed said that they would accede to this equality, but they had taken no formal resolution to that effect; and they had still the power of deciding on what concerned them, according to the ancient plan of deliberating. The mass of the nation had thus no decisive influence, although it bore the great proportion of the burdens. This made the deputies of the *Tiers Etat* insist on voting individually, while

the *noblesse* and clergy argued for voting by the order. The dispute on this point began from the moment that the powers were verified; and from that moment, also, M. Necker proposed a plan of reconciliation, which, though very favourable to the higher orders, might have been accepted by the *Tiers Etat*, as the question was still under negociation. To all the delays inherent in the plan of deliberating in three orders, we are to add the imperative orders (*mandats impératifs*,) that is, instructions from the electors, imposing on the deputies the necessity of conforming their opinions to the will of their constituents, on the principal subjects discussed in the assembly. This antiquated usage was suitable only to the infancy of a representative government. Public opinion had hardly any weight in an age, when the communication between one province and another was a matter of difficulty, and particularly when there were no newspapers, either to suggest ideas or communicate intelligence. But to oblige deputies in our days to adhere strictly to provincial instructions, would have been to make the States General an assembly with little other power than that of laying petitions on the table. The information acquired in debate would have been fruitless, since they would have had no power to

deviate from their previous instructions. Yet it was on these imperative orders, that the nobility rested their chief arguments for refusing to vote individually. But one part of them, those of Dauphiny, had brought a positive instruction never to deliberate by order.

A minority of the *noblesse*, that is, more than sixty members, whose families were most illustrious, but who, by their information, were fully on a level with the spirit of the age, were desirous that, as far as regarded the plan of a constitution, the mode of voting should be individually; but the majority of their order, supported by a portion of the clergy (although the latter were comparatively moderate), showed an inveterate objection to any mode of conciliation. They declared themselves ready to give up their privilege of exemption from taxes; but instead of taking a formal resolution to that effect on the opening of the sittings, they were desirous of making that an object of negociation, which the nation regarded as a right. Time was thus lost in cavilling, in polite refusals, and in successive difficulties. When the *Tiers Etat* raised their tone, and showed their strength, supported by the wish of the nation, the *noblesse* of the court gave way, accustomed, as they were, to yield to power; but no sooner did the prospect appear

to brighten, than they resumed their arrogance, and seemed to despise the *Tiers Etat*, as in the days when vassals solicited enfranchisement from their lords.

The provincial *noblesse* was still less tractable than the nobility of the first rank. The latter were certain of preserving their dignity,—they were guaranteed by historical recollections; but the petty nobles, whose titles were known only to themselves, saw themselves in danger of losing distinctions which no longer obtained respect from the world. These personages did not scruple to dwell on their lately acquired rank, with as much emphasis as if it had existed before the creation of the world. They considered privileges, which were of no use but to themselves, like that right of property which forms the basis of general security. Privileges are sacred only when conducive to the general advantage; it requires then some argument to support them, and they cannot be said to be truly solid, except when sanctioned by public utility. But the chief part of the *noblesse* entrenched themselves in the assertion, "So it was heretofore"—"*C'étoit ainsi jadis.*" Particular circumstances, they were told, produced that state of things, and these circumstances are entirely changed: in vain—nothing could ope-

rate conviction on them. They were actuated by a certain aristocratic foppery, of which an idea can be formed only in France; a mixture of frivolity in manner, and of pedantry in opinion; the whole united to a profound disdain for talent and information, unless enlisted in the ranks of folly, that is, employed in giving a retrograde course to reason.

In England, the eldest son of a peer is generally a member of the House of Commons, until at his father's death he enters the upper house; the younger sons remain in the body of the nation, and form a part of it. An English peer said ingeniously, "I cannot become an aristocrat, for I have constantly beside me representatives of the popular party; these are my younger sons." The graduated connexion of the different ranks of society is one of the admirable beauties of the English constitution. But in France the effect of custom had been to introduce two things directly contradictory—one, ascribing such a respect to antiquity, that a member of the *noblesse* could not step into one of the King's carriages without proofs verified by the court genealogist, and prior in date to the year 1400, that is, prior to the time the kings began to grant nobility by letters patent; while, on the other hand, the greatest importance was

attached to the royal prerogative of ennobling by patent. No human power can make a true noble, in the sense implied by that epithet in France; it would imply the power of disposing of the past, which seems impossible even to the Divinity. Yet nothing was easier in France than to become a privileged person, although it was entering into a separate caste, and acquiring, if I may say so, a right to injure the rest of the nation, by swelling the number of those who escaped the public burdens, and who thought themselves particularly entitled to government favours. Had the French nobility continued strictly military, the public might long have submitted, from a sentiment of admiration and gratitude, to the continuance of its privileges; but for a century back a *tabouret* at court had been the object of as much solicitation as a regiment in the army. The French *noblesse* were neither members of the legislature as in England, nor sovereign lords as in Germany. What were they then? They unluckily resembled the *noblesse* of Spain and Italy, and they escaped from the mortifying comparison only by the elegant manners and the information of a certain part of their number; but these persons, in general, renounced the doctrine of their order,

and ignorance alone remained to watch over prejudice.

What orators could support this party, abandoned by its most distinguished members? The Abbé Maury, who was far from occupying a conspicuous rank among the French clergy, defended his abbeys under the name of the public good; and M. de Casalès, a captain of cavalry, whose nobility was dated only twenty-five years back, was the champion of the privileges of the *Noblesse* in the Constituent Assembly. This man was subsequently one of the first to attach himself to the dynasty of Bonaparte; and Cardinal Maury seemed to do the same with no little readiness. We are thus led to conclude, from these as from other examples, that in our days the advocates of prejudice are by no means slow in bargaining for their personal interest. The majority of the noblesse finding themselves abandoned in 1789 by men of talents and information, proclaimed indiscreetly the necessity of employing force against the popular party. We shall soon see if that force was in existence; but we may venture to say at once, that if it was not in existence, the menace was extremely imprudent.

CHAPTER XVIII.

Conduct of the Tiers Etat during the first two Months of the Session of the States General.

SEVERAL individuals among the *noblesse* and clergy, the first persons in the country, inclined strongly, as we have already said, to the popular party, and there was a great number of intelligent men among the deputies of the *Tiers Etat*. We must not form an opinion of the France of that time, by the France of the present day: twenty-five years of continual danger, of every kind, have unfortunately accustomed the French to employ their faculties only for their personal defence or interest; but in 1789 the country contained a great number of intelligent and philosophic minds. Why, it may be asked, could they not adhere to the government under which they had been thus formed? It was not the government, it was the advanced knowledge of the age which had called out all these talents, and those who felt they possessed them felt also the necessity of exercising them. Yet the ignorance of the people in Paris,

and still more in the country, that ignorance which results from the long oppression and neglected education of the lower orders, contained the seeds of all those misfortunes which afterwards overpowered France. Of distinguished men the country contained perhaps as many as England; but the stock of good sense that belongs to a free nation did not exist in France. Religion founded on inquiry, education generally diffused, the liberty of the press, and the right of voting at public elections, are sources of improvement which had been in operation in England for more than a century. The *Tiers Etat* desired that France should be enriched by a part of these advantages; the national wish strongly supported that desire; but the *Tiers Etat*, being the strongest party, could have only one merit, that of moderation, and unfortunately it was not in a disposition to adopt it.

There were two parties among the deputies of the *Tiers Etat*; the leaders of the one were Mounier and Malouet—of the other Mirabeau and Sieyes. The former aimed at a constitution in two chambers, and were in hopes of obtaining this change from the *noblesse* and the King by amicable means; the other was superior in point of talent, but unfortunately more guided by passion than opinion.

Mounier had been the leader of the calm and well-planned revolution in Dauphiny; enthusiasm in the cause of reason was the basis of his character; he was enlightened rather than eloquent, but consistent and firm in his path, so long as it was in his power to choose one. Malouet, whatever might be his situation, was always guided by his conscience. Never did I know a purer mind, and if he was not altogether qualified to act efficiently, it was owing to his having concerned himself with measures without regarding men; trusting always to the self-evidence of truth, without sufficiently reflecting on the means of bringing it home to the conviction of others.

Mirabeau, who knew and who foresaw every thing, was determined to make use of his thundering eloquence only to gain himself a place in the first rank, from which he had been banished by his immorality. Sieyes was the mysterious oracle of approaching events; he has, beyond all contradiction, a mind of the greatest compass and strength, but that mind is governed by a very wayward temper; and as it was a matter of difficulty to extort a few words from him, these, from their rarity, passed for little less than orders or prophecies.

While the privileged classes were employed

in discussing their powers, their interests, their ceremonials; in short, whatever concerned only themselves; the *Tiers Etat* invited them to join in a deliberation on the scarcity of provisions, and state of the finances. What advantageous ground did the deputies of the people choose, when soliciting a union for such purposes! At last the *Tiers Etat* grew weary of these unavailing efforts, and the factious among them rejoiced that the inutility of these attempts seemed to prove the necessity of more energetic measures.

Malouet required that the chamber of the *Tiers Etat* should declare itself the assembly of the representatives of the majority of the nation. Nothing could be said against this incontestable title. Sieyes proposed to constitute themselves purely and simply the "National Assembly of France;" and to invite the members of the two orders to join them. A decree passed to this effect, and that decree constituted the revolution. How important would it have been to have prevented it! But such was the success of this measure, that the deputies of the *noblesse* from Dauphiny, and some of the clergy, acceded immediately to the invitation; the influence of the assembly gained ground every hour. The French are more prompt than any

other people in perceiving where strength lies; and partly by calculation, partly by enthusiasm, they press on towards power, and give it additional impulse by rallying under its banners.

The King, as will appear from the next chapter, was much too tardy in interfering in this critical state of things; and, by a blunder, not unfrequent on the part of the privileged classes, who, though always weak, are full of confidence, the grand master of the ceremonies thought proper to shut up the hall of meeting of the *Tiers Etat*, that the platform, the carpeting, and other preparations for the reception of the King, might be completed. The *Tiers Etat* believed, or professed to believe, that they were forbidden to continue their sittings; the troops that were now advancing from all directions to Versailles, placed the deputies decidedly on the vantage ground. The danger was sufficiently apparent to give their resistance an air of courage, while it was not so real as to keep back even the timid among them. Accordingly all the members of the assembly concurred in meeting in the tennis court *(salle du jeu de Paume)* at Versailles, and bound themselves by an oath to maintain the national rights. This oath was not without dignity, and if the privileged classes had been

stronger, when they were attacked, and the national representatives had made a more moderate use of their triumph, history would have consecrated that day as one of the most memorable in the annals of liberty.

CHAPTER XIX.

Means possessed by the Crown in 1789 *of opposing the Revolution.*

THE true public feeling, which rises superior to faction, has been the same in France for twenty-seven years; and every other direction given to it, being artificial, could have only a temporary influence.

There was at this time no intention of overturning the throne, but a decided determination that laws should not be passed by those who were to execute them; for it was not in the hands of the King, but of his ministers, that the authority of the former arbitrary governments was vested. The French did not, at that time, willingly submit to the singular humility which they are at present required to practise—that of believing themselves unworthy of exercising, like the English, an influence on their own fate.

What objection could be made to this, the almost unanimous wish of France, and to what length ought a conscientious king to carry his refusal? Why take on himself alone the re-

sponsibility of government, and why should not the information that would accrue to him from an assembly of deputies, composed like the English parliament, be of equal avail to him, as that which he derived from his council or his court? Why substitute for the mutual duties of subject and sovereign, the revived theory of the Jews on divine right? Without at present entering into a discussion, it cannot be denied at least that force is necessary to maintain that theory, and that "divine right" requires a human army to make it manifest to the incredulous. And what were at that time the means of which the royal authority could avail itself?

There seemed only two courses to follow—to triumph over public opinion, or to enter into treaty with it. Force! force! is the cry of those men who imagine that they acquire it by pronouncing the word. But in what consists the force of a sovereign unless in the obedience of his troops? Now the army, so early as 1789, was, in a great measure, attached to the popular opinion, against which, on this supposition, it would have had to act. It had hardly been engaged in the field for twenty-five years; it was thus an army of citizens, imbrued with the feelings of the nation, and proud of being as-

sociated with it. Had the king, say some, put himself at its head, he would have carried it along with him. The king had not received a military education, and all the ministers in the world, without excepting such a man as Cardinal Richelieu, are incapable of supplying, in this respect, the personal agency of a monarch. Others may write for him, but they cannot command an army in his stead, particularly when it is to be employed in the interior. Royalty cannot be performed, like certain theatrical exhibitions, where one actor does the gestures while another pronounces the words. Had even the most decided character of modern times, Bonaparte himself, been on the throne, his will would have failed in the contest with popular opinion at the time of the opening of the States General. Politics were then a new field for the imagination of Frenchmen; every one flattered himself with acting a part, every one saw a personal object in the chances opening in all directions. The course of events, and the spirit of literary publications, for a century back, had prepared the mind of the nation for countless advantages which it thought itself ready to seize. When Napoleon established despotism in France, circumstances were favourable to such a plan; the public was weary of trouble,

awed by the remembrance of dreadful misfortunes, and apprehensive of their return by a revival of faction. Besides, the public ardour was turned towards military fame; the war of the revolution had raised the national pride. Under Louis XVI. on the contrary, the current of public opinion was directed to objects purely philosophic; it had been formed by books, which proposed a number of improvements in the administration of justice, and other branches of civil government. The nation had long enjoyed profound peace, and war had been, in a manner, out of fashion since the time of Louis XIV. All the activity of the popular mind pointed to a desire of exercising political rights, and all the skill of a statesman consisted in a judicious management of public opinion.

So long as it is practicable to govern a country by military force, the task of ministers is easy, and great talents are not necessary to ensure obedience; but if, unfortunately, recourse be had to force, and it fails, the other resource, that of winning the public opinion, is no longer available; it is lost for ever from the time that an attempt was made to constrain it. Let us examine on this principle the plans proposed by M. Necker, and those which the king was persuaded to adopt, in sacrificing this minister.

CHAPTER XX.

The Royal Session of 23d June, 1789.

THE secret council of the King was altogether different from his ostensible ministry; a few of the latter participated the opinion of the former; but the acknowledged head of administration, M. Necker, was the very person against whom the privileged classes directed their efforts.

In England the responsibility of ministers is a bar to this double government, by official agents and secret advisers. No act of the royal power being executed without the signature of a minister, and that signature involving a capital punishment to whoever abuses it, even were the King surrounded by chamberlains preaching the doctrine of absolute power, there is no danger that any of them would run the risk of performing as a minister what he might support as a courtier. In France the case was different. Orders were given, without the knowledge of the prime minister, to bring forward regiments of Germans, because depend-

ance could not be placed on the French regiments; it was expected that, with this foreign band, it would be safe to slight public opinion in such a country as was then illustrious France.

The baron de Breteuil, who was ambitious of succeeding to M. Necker's station, was incapable of understanding any thing but the old form of government; and, even in the old form, his ideas had never extended beyond the precincts of a court, either in France or in the foreign countries where he had been sent as ambassador. He cloaked his ambition under an aspect of good nature; he was in the habit of shaking hands in the English manner with all he met, as if he would say, "I should like to be minister; what harm will that do you?" By dint of repeating that he wished to be minister, he had been introduced into the cabinet, and he had governed as well as another so long as there was nothing to do but subscribe his name to the official papers, brought to the minister in a finished state by the first clerks. But in the great national crisis, on which we are about to enter, his councils were replete with disaster to the cause of the King. His rough voice conveyed an idea of energy; in walking he pressed the ground with a ponderous step, as if he would call an army from below—and this decision

of manner imposed on those who viewed the future through the medium of their hopes.

When M. Necker asked the King and Queen, "Can you place dependance on the army?" the doubt implied in the question was accounted expressive of a factious disposition; for one of the characteristics of the aristocratic party in France is to look with a suspicious eye on a knowledge of facts. These facts are obstinate, and have in vain risen up ten times against the hopes of the privileged classes: they have always attributed them to those who foresaw them, and never to the nature of things. A fortnight after the opening of the States General, and before the *Tiers Etat* had constituted itself the National Assembly, while the two parties were ignorant of their mutual strength, and while each was looking to government for support, M. Necker laid before the King a sketch of the situation of the kingdom. "Sire," said he, "I am afraid that you are led into error in regard to the temper of the army: our correspondence with the country makes us conclude that it will not act against the States General. Do not then make it draw near to Versailles, as if you intended to make a hostile use of it against the deputies.

The popular party is not yet apprized with certainty, of the disposition of the troops. Make use of this very uncertainty, to keep up your authority with the public; for, if the fatal secret of the insubordination of the troops were known, how would it be possible to restrain the factious? The point at present, Sire, is to accede to the reasonable wishes of France; deign to resign yourself to the English constitution; you, personally, will not experience restraint by the empire of law, for never will it impose on you such barriers as your own scruples; and in thus volunteering to meet the wish of your people, you will grant to-day as a boon, what they may exact to-morrow as a right."

After making these observations, M. Necker transmitted the sketch of a declaration, which was to have been made by the King a month before the 23d June; that is, long before the *Tiers Etat* had declared itself the National Assembly, before the oath at the tennis-court, in short, before the deputies had embraced any hostile measure. Concessions on the part of the King would then have had more dignity. The declaration, as composed by M. Necker, was almost word for word similar to the one issued by Louis XVIII. at St. Ouen, on the

2d May, 1814, twenty-five years after the opening of the States General.* May we not be allowed to believe that the sanguinary career of the last twenty-five years would not have been run, if the executive power had from the first day consented to what the nation then wished, and will always continue to wish?

The success of M. Necker's proposition was to have been secured by an ingenious plan. The King was to order the deputies to vote individually in what related to taxes, while in regard to the privileges, interests, or other matters peculiar to each order, they should continue to deliberate separately, until the settlement of the constitution. The *Tiers Etat*, being not sure of carrying the point of individual voting, would have been grateful for obtaining it, in regard to taxes; and this was what justice required, for what States General would those be, in which a majority, that is, the two orders, who paid comparatively little or nothing, should have decided on burdens to be borne almost entirely by the minority, the *Tiers Etat?* The project of M. Necker contained, further, a declaration that the King would, in

* It was on this spot, St. Ouen, my father passed a great part of his life; and, puerile as it may seem, I cannot help being struck with the singular coincidence.

future, sanction the States General in no other shape than as a legislative body, in two chambers. This was followed by several popular propositions in regard to legislation and finance, which would have entirely gained the public favour to the declaration. The king adopted it in all its extent, and it is certain that at the first moment it had his approbation. M. Necker was now at the summit of his hopes; for he flattered himself with prevailing on the majority of the deputies of the *Tiers Etat* to accept this well combined plan, although the more ardent of them were inclined to reject whatever proceeded from the court.

While M. Necker was cheerfully putting his popularity to hazard, by coming forward as the defender of an Upper House of parliament, the aristocratic body, on the other hand, thought themselves robbed of their rights by such a proposition. Each party, during twenty-five years, has, in its turn, rejected and desired the English constitution, according as it was victor or vanquished. In 1792, the Queen said to the Chevalier de Coigny, "I would that I had lost an arm, and that the English constitution had been established in France." The nobility unceasingly wished for it after they had been stripped of their power and property; and under

Bonaparte the popular party would, no doubt, have been very well satisfied to have obtained it. It may be said, that the English constitution, or, in other words, the sway of reason in France, is like the fair Angelica in the comedy of the "Gambler,"—he implores her in his distress, and neglects her when he is fortunate.

M. Necker was extremely anxious that the king should not lose an instant in interposing his mediation in the debates of the three orders. But the King rested tranquil in the popularity of his minister, and believed, that if the proposed interference were necessary, any time might suffice for it. This was a great miscalculation. M. Necker had the power of going a certain length; he could put a limit to the claims of the deputies of the *Tiers*, by granting them a particular point which they were not otherwise sure of obtaining; but if he had renounced that which constituted his strength, I mean the essence of his opinions, his influence with them would have sunk lower than that of any other man.

One party among the deputies of the *Tiers Etat*, that of which Mounier and Malouet were the leaders, was in concurrence with M. Necker: but the other party aimed at a revolution, and was not contented to accept what it preferred

to conquer. While M. Necker was contending with the court for the cause of liberty, he defended the royal authority, and even the nobility, against the *Tiers Etat!* All his hours, and all his faculties, were employed to guard the King against the courtiers, and the deputies against the factious.

All this, some will say, is not conclusive; M. Necker was not successful; the inference is, that he wanted ability. For the space of thirteen years, five passed in office, and eight in retirement, M. Necker had stood at the summit of popular favour; he still possessed it to such a degree, that all France was indignant at the news of his banishment. What then can he be said to have lost by his fault? and how, I must repeat it, is a man to be made answerable for misfortunes that occurred because his advice was not followed? If royalty was overturned in consequence of the adoption of a system contrary to his, is it not likely that it would have been preserved, if the king had adhered to the path followed for some time after the return of M. Necker to the ministry.

A very early day had been fixed for holding a royal session in the States General, when the secret enemies of M. Necker induced the king to make a journey to Marli, a residence where

the voice of the public was heard still less than at Versailles. Courtiers generally place themselves between the prince and the nation, like a deceitful echo, which alters what it repeats. M. Necker relates that, in the evening of the cabinet meeting at which the royal session was to be fixed for the next day, a note from the Queen induced the King to quit the council-room; the deliberation was adjourned till next day. By that time two other members were admitted to the council, as well as the King's two brothers. The two members knew no forms but the ancient; and the princes, who were then young, confided too much in the army.

The party which came forward to defend the throne, spoke with much disdain of the nature of prerogative in England; they wished to affix something criminal to the idea of reducing a king of France to the hard condition of a British monarch. This view of things was not only erroneous, but the result, perhaps, of selfish calculation; for, in truth, it was not the King, but the nobles, and particularly the nobles of the second class, who were likely, according to their mode of thinking, to lose by becoming the citizens of a free country. The adoption of the English institutions would neither have lessened the enjoyments of the

King, nor the authority which he would and could have exerted. Nor would these institutions have at all lessened the dignity of the great and ancient families of France; so far from that, placing them in the House of Peers, they received a more assured prerogative, and were more clearly discriminated from the rest of their order. It was then only the privileges of the second class of *noblesse*, and the political influence of the higher clergy, which it was necessary to sacrifice. The parliaments also were apprehensive of losing those long contested powers, which they had of themselves renounced, but which they still regretted; they perhaps saw, by anticipation, the institution of juries, that grand safeguard of humanity in the administration of justice. But, once for all, the interest of these orders was not identified with that of the Crown, and, by wishing to make them inseparable, the privileged classes involved the throne in their own fall. Not that their intention was to overturn monarchy; but they desired that monarchy should triumph with them and by them; while matters had come to such a pass, that it was unavoidable to sacrifice, sincerely and unequivocally, that which it was impossible to defend, for the sake of preserving the remainder.

Such was the opinion of M. Necker; but it was not that of the new members of the King's council. They proposed various changes, all in conformity with the passions of the majority of the privileged classes. M. Necker combated these new adversaries, during several days, with an energy surprising in a minister who was certainly desirous of pleasing the King and the royal family. But he was so fully persuaded of the truth of what he affirmed, that he discovered in this point a resolution not to be shaken. He foretold the defection of the army if it were employed against the popular party; he predicted that the King would lose all his ascendency over the *Tiers Etat,* by the tone in which it was proposed to compose the declaration; finally, he signified, in respectful terms, that he could not give his support to a plan which was not his, and the consequence of which would, in his opinion, be disastrous.

The court was not disposed to listen to this advice; but they desired M. Necker's attendance at the royal session, for the sake of persuading the deputies of the people that the declaration had his approbation. This M. Necker refused, and sent in his resignation. Yet, said the aristocrats, a part of his plan was retained; true, there remained in the declaration of the 23d June, several of the concessions desired by

the nation, such as the suppression of the personal tax, (*taille*,) the abolition of privileges in regard to taxes, the admission of all citizens to civil and military employments, &c. But things had changed greatly in the course of a month; the *Tiers Etat* had acquired a degree of importance which prevented it from feeling grateful for concessions which it was sure of obtaining. M. Necker wished the King to grant the right of individual voting in regard to taxes, in the very outset of his speech; the *Tiers Etat* would then have concluded that the object of the royal session was to support its interest, and that would have gained their confidence. But, in the newly modelled plan pressed on the King, the first article invalidated all the resolutions which the *Tiers Etat* had taken in its character of National Assembly, and which it had rendered sacred by the oath at the tennis-court. M. Necker had proposed the royal session before the deputies had come under such engagements to public opinion. Was it prudent to offer them so much less after their power had become still greater in the interval which the court had lost in vacillation?

To seize the happy moment should be the grand object with statesmen, generals, and with all who have to do with fickle human nature. An authoritative measure against the *Tiers Etat*

was no longer practicable on the 23d June; and it was rather the *noblesse* whom the King should have aimed at commanding: for obedience may be a point of honour with them, since it is one of the statutes of ancient chivalry to submit to kings as to military commanders; but implicit obedience on the part of the people is nothing short of subjection, and the spirit of the age ran no longer in that direction. In our days the throne cannot be solidly established but on the power of law.

The King ought by no means to have sacrificed the popularity which he had lately acquired by granting a double number of deputies to the *Tiers Etat*. This popularity was of more consequence to him than all the promises of his courtiers. He lost it, however, by his address to the assembly on the 23d June; and, although that address contained some very good points, it failed entirely in its effect. Its very outset was repulsive to the *Tiers Etat*, and, from that moment forward, that body refused to listen to things which it would have received favourably, could it have been persuaded that the King was inclined to defend the nation against the claims of the privileged classes, and not the latter against the nation.

CHAPTER XXI.

Events caused by the Royal Session of 23d June, 1789.

THE predictions of M. Necker were but too fully realized; and that royal session, against which he had said so much, produced consequences still more unfortunate than he had calculated. Hardly had the King left the hall, when the *Tiers Etat*, who had continued there after the other orders had withdrawn, declared that it would pursue its deliberations without any attention to what they had just heard. The impulse was given; the royal session, far from attaining the hoped for object, had given new vigour to the *Tiers Etat*, and had afforded them the opportunity of a new triumph.

The rumour of M. Necker's resignation now spread abroad, and all the streets of Versailles were instantly filled with the inhabitants, who proclaimed his name. The King and Queen sent for him to the palace on that very evening, and both urged him, in the name of the public safety, to resume his place; the

Queen added, that the safety of the King's person depended on his continuing in office. How could he decline obeying? the Queen promised solemnly to follow henceforth his council; such was her determination at the time, because she was alarmed by the popular movement: but as she was always under the impression that any limit imposed on the royal prerogative was a misfortune, she necessarily fell again under the influence of those who viewed matters in the same light.

The King, it cannot be too often repeated, possessed all the virtues necessary for a constitutional monarch; for such a monarch is rather the first magistrate, than the military chief of his country. But, though he was very well informed, and read the English historians, in particular, with attention, the descendant of Louis XIV. felt a difficulty in relinquishing the doctrine of divine right. That doctrine is considered treasonable in England, since it is in virtue of a compact with the nation that the present dynasty occupies the throne. But although Louis XVI. was by no means stimulated by his disposition to aim at absolute power, that power was the object of a disastrous prejudice, which unfortunately for France and for himself he never wholly renounced.

M. Necker, won by the entreaties which the King and Queen condescended to make to him, promised to continue minister, and spoke only of the future; he by no means disguised the extent of existing danger; but added that he hoped yet to remedy it, provided orders were not given to bring troops around Paris unless the Crown were certain of their obedience: in such a case he must make a point of retiring, and of being satisfied with indulging in private his wishes for the welfare of the King.

There remained only three means of preventing a political catastrophe: the hope which the *Tiers Etat* still founded on the personal disposition of the King; the uncertainty of the course which the military might take, an uncertainty which might still keep back the factious; and finally, the popularity of M. Necker. We shall soon see how these resources were lost in the course of a fortnight, by the advice of the committee to which the court gave itself up in private.

On returning from the palace to his house, M. Necker was carried in triumph by the people. Their lively transports are still present to my recollection, and revive in me the emotion which they caused in the joyous season of youth and hope. All the voices which repeated

my father's name, seemed to me those of a crowd of friends, who participated in my respectful affection. The people had not as yet stained themselves by any crime; they loved their King; they looked on him as deceived, and rallied with friendly warmth around the minister whom they considered as their defender: all was true and upright in their enthusiasm. The courtiers circulated that M. Necker had planned this scene; but, supposing him to have been capable of this, how could any one succeed in producing, by underhand means, a movement in so vast a multitude? All France took part in it; addresses arrived from every quarter of the country, and in these days addresses were expressive of the general wish. But one of the great misfortunes of those who live in courts is to be unable to understand rightly what a nation is. They attribute every thing to intrigue, yet intrigue can accomplish nothing on public opinion. In the course of the revolution, we have seen factious men succeed in stirring up this or that party; but in 1789, France was almost unanimous; to attempt struggling against this Colossus, with the mere power of aristocratic dignities, was like fighting with a foil against a real weapon.

The majority of the clergy, the minority of

the *noblesse*, and all the deputies of the *Tiers Etat*, repaired to M. Necker, on his return from the palace; his house could hardly contain those who had pressed into it, and it was there that we saw the truly amiable traits of the French character; the vivacity of their impressions, their desire to please, and the ease with which a government may win or offend them, according as it addresses itself, well or ill, to that particular kind of imagination of which they are susceptible. I heard my father entreat the deputies of the *Tiers Etat* not to carry their claims too far. "You are now," he said, "the strongest party;" it is on you then that moderation is incumbent." He described to them the situation of France, and the good which they might accomplish; several of them were affected even to tears, and promised to be guided by his councils; but they asked him, in return, to be responsible to them for the intentions of the King. The royal power still inspired not only respect, but a certain degree of fear: these were the sentiments which ought to have been preserved.

One hundred and fifty deputies of the clergy, among whom were several of the higher prelates, had by this time gone over to the National Assembly; forty-seven members of the

nobility, most of them placed in the first rank both by birth and talent, had followed them; above thirty others waited only for leave from their constituents to join them. The people called loudly for the union of the three orders, and insulted those of the clergy and *noblesse* who repaired to their separate chamber. M. Necker then proposed to the King to issue an order to the clergy and *noblesse* to deliberate along with the *Tiers Etat*, that he might spare them the painful anxiety under which they laboured, and the vexation of appearing to yield to the power of the people. The King complied, and the royal injunction still produced a surprising effect on the public mind. The nation was grateful to its Sovereign for his condescension, although the measure was almost the result of necessity. The majority of the chamber of peers were favourably received on their junction, although it was known that they had made a protest against the very step which they had taken. The hope of doing good revived; and Mounier, the reporter or chairman of the committee of constitution, declared that they were about to propose a political system similar, in almost every thing, to that of the English monarchy.

In comparing this state of things and of the popular mind to the dreadful ferment of the

evening of the 23d June, it cannot be denied, that M. Necker had a second time placed the reins of government in the King's hands, as he had done after the dismission of the Archbishop of Sens. The throne was doubtless shaken, but it was still possible to strengthen it by taking care, above all, to avoid an insurrection, as an insurrection must evidently prove too strong for the means which government still had to resist it. But the failure of the royal session of 23d June, by no means discouraged those who had caused it; and the secret advisers of the King, while they allowed M. Necker to guide the ostensible measures, advised his Majesty to give a feigned acquiescence to every thing, until the German troops, commanded by Marshal Broglio, should approach Paris. They took good care to conceal from M. Necker that the order for their approach had been given with a view to dissolve the assembly: when the measure could be no longer kept private, it was said to have been adopted to quell the partial troubles that had occurred in Paris, and in which the French guards, when commanded to interfere, had shown the most complete insubordination.

M. Necker was not ignorant of the true motive for the approach of the troops, although attempts were made to conceal it from him. The

intention of the Court was to assemble at Compiegne all the members of the three orders who had not shown themselves favourable to innovation, and to make them give there a hasty consent to the loans and taxes they stood in need of, after which the assembly was to be dissolved. As such a project could not be seconded by M. Necker, it was proposed to give him his dismission as soon as the troops arrived. Advices, daily and hourly repeated, apprized him of his situation, and removed from him even the possibility of doubt; but, having seen the violent effects produced on the 23d of June, by the news of his resignation, he was determined not to expose the public welfare to a fresh shock; for what he dreaded, of all things, was obtaining a personal triumph, at the expense of the royal authority. His partisans, alarmed at the enemies by whom he was surrounded, entreated him to resign. He knew that it was in contemplation to send him to the Bastille; but he knew also that, under existing circumstances, he could not resign, without giving a confirmation to the rumour circulated about the violent measures in preparation at Court. The King, having resolved on these measures, M. Necker was determined not to participate in them, but he decided also on not giving the signal of opposition: he remained

like a sentinel left at his post to conceal manœuvres from the enemy.

The popular party being at no loss to understand the measures planned against them, and being by no means disposed, like M. Necker, to become the victims of the Court, embraced the proposition of Mirabeau, which led to the famous address for sending back the troops. It was the first time that France heard that popular eloquence, the natural power of which was increased by the grandeur of the circumstances. Respect for the personal character of the King was still remarkable in this tribunitian harangue. "And in what manner, Sire," said the orator of the chamber, "do they act, to make you doubt the attachment and affection of your subjects? Have you been lavish of their blood? Are you cruel, implacable? Have you made an abuse of justice? Does the people charge its misfortunes on you? Does it name you in its calamities?..... Do not put faith in those who speak to you with levity of the nation, and who represent it to you only according to their views, at one time as insolent, rebellious, seditious—at another submissive, docile to the yoke, and ready to bow the head to receive it. Each of these descriptions is equally unfaithful.

"Always ready, Sire, to obey you, because you command in the name of the law, our fidelity is without bounds, and without reproach.

"Sire, we entreat you in the name of our country, in the name of your happiness and your fame; send back your soldiers to the stations whence your advisers have drawn them; send back that artillery which is destined to cover your frontiers; send back, above all, the foreign troops, those allies of the nation whom we pay for defending, and not for disquieting our homes. Your Majesty has no occasion for them; why should a monarch, adored by twenty-five millions of Frenchmen, call, at a heavy expense, around his throne a few thousand foreigners? Sire, in the midst of your children be guarded by their affection."

These words are the last gleam of attachment which the French showed to their King for his personal virtues. When the military force was tried, and tried in vain, the affection of the people seemed to disappear with the power of the Court.

M. Necker continued to see the King daily; but nothing of serious import was communicated to him. Such silence towards the prime minister was very disquieting, when foreign troops were seen to arrive from various points,

and take their station around Paris and Versailles. My father told us in confidence every evening that he expected being put under arrest next day; but that the danger to which the King was exposed, was, in his opinion, so great, that he deemed it his duty to remain in office, that he might not appear to suspect what was going on.

On the 11th July, at three in the afternoon, M. Necker received a letter from the King, ordering him to quit Paris and France, and only enjoining him to conceal his departure from every one. The baron de Breteuil had advised, in the committee, the arrest of M. Necker, as his dismissal might cause a tumult. "I will answer," said the King, "that he will obey strictly my injunction in regard to secrecy." M. Necker was affected by this mark of confidence in his probity, although accompanied by an order for exile.

He was informed in the sequel that two officers of the life-guards had followed him to secure his person, if he had not complied with the injunction of the King. But they could hardly reach the frontiers so soon as M. Necker himself. Madame Necker was his sole confidante; she set out, on quitting her saloon, without any preparation for the journey, with the precautions which a criminal would take to

escape his sentence; and this sentence, so much dreaded, was the triumph which the people would have prepared for M. Necker had he been willing to accept of it. Two days after his departure, and as soon as his removal from office was known, the theatres were shut as for a public calamity. All Paris took up arms; the first cockade worn was green, because that was the colour of M. Necker's livery: medals were struck with his effigy; and had he thought proper to repair to Paris, instead of quitting France by the nearest frontier, that of Flanders, it would be difficult to assign a limit to the influence that he might have acquired.

Duty, doubtless, required obedience to the King's order: but what man is there who, even in yielding obedience, would not have allowed himself to be recognized, and would not have consented to have been brought back in spite of himself, by the multitude? History does not perhaps offer an example of a man shunning power, with all the precautions which he would have taken to escape from proscription. It was necessary, to be the defender of the people, to incur banishment in this manner; and, at the same time, the most faithful subject of his monarch, to sacrifice to him so scrupulously the homage of an entire nation.

CHAPTER XXII.

Revolution of the 14th July (1789).

TWO other ministers were removed at the same time as M. Necker, M. de Montmorin, a man personally attached to the King from his infancy, and M. de St. Priest, who was remarkable for the soundness of his judgment. But what will appear almost incredible to posterity, is, that in adopting a resolution of such importance, no measure was taken to ensure the personal safety of the Sovereign in case of misfortune. The advisers of the Crown thought themselves so sure of success, that no troops were assembled around Louis XVI. to accompany him to a certain distance in the event of a revolt of the capital. The soldiers were encamped in the plains near the gates of Paris, which gave them an opportunity of communicating with the inhabitants; the latter came to them in numbers, and made them promise not to make use of their arms against the people. Thus, with the exception of two German regiments, who did not understand French, and

who drew their sabres in the gardens of the Tuileries almost as if they had wished to afford a pretext for insurrection, all the troops on which dependance was made participated in the feeling of the citizens, and complied in no respect with what was expected from them.

As soon as the news of M. Necker's departure was spread abroad in Paris, the streets were barricadoed, and all the inhabitants formed themselves into national guards, assuming some sort of military dress, and laying hold of whatever weapon first offered, whether musket, sabre, or scythe. Multitudes of men of the same opinion embraced each other in the streets like brothers; and the army of the people of Paris, consisting of more than a hundred thousand men, was formed in an instant, as if by a miracle. The Bastille, that citadel of arbitrary power, was taken on the 14th July, 1789. The baron de Breteuil, who boasted that he would put an end to the crisis in three days, remained only that number of days in office—long enough, however, to contribute to the overthrow of the royal power.

Such was the result of the advice of the adversaries of M. Necker. How can minds of such a cast still take on them to give an opinion on the affairs of a great people? What resources were prepared against the danger which they

themselves had created? And did the world ever see men, who would not hear reason, acquit themselves so ill in the application of force.

The King in such circumstances could inspire no feeling but one of profound interest and compassion. Princes educated to rule in France have never been accustomed to look the realities of life in the face; there was held up to them an artificial world, in which they lived from the first to the last day of the year; and misfortune necessarily found them without defence in themselves.

The King was brought to Paris for the purpose of adopting, at the *Hotel de Ville*, that revolution which had just taken place against his power. His religious tranquillity preserved his personal dignity in this, as in all ensuing occasions; but his authority was at an end: and if the chariots of kings ought not to drag nations in their train, it is, on the other hand, unbecoming in a nation to make a king the ornament of its triumph. The apparent homage rendered on such an occasion to a dethroned sovereign is revolting to a generous mind. Never can liberty be established, when either the monarch or people are in a false situation. Each, to be sincere, must be in possession of his rights. Constraint imposed on the head of a

government can never be the basis of the constitutional independence of a country.

The 14th July, although marked by assassinations on the part of the populace, was yet a day of grandeur: the movement was national; no faction, either foreign or domestic, would have been able to excite such enthusiasm. All France participated in it, and the emotion of a whole people is always connected with true and natural feeling. The most honourable names, Bailly, La Fayette, Lally, were proclaimed by the public opinion; the silence of a country governed by a court was exchanged for the sound of the spontaneous acclamations of all the citizens. The minds of the people were exalted; but as yet there was nothing but purity in their souls; and the conquerors had not had time to contract those haughty passions from which the strongest party in France is scarcely ever able to preserve itself.

CHAPTER XXIII.

Return of M. Necker.

M. NECKER, on arriving at Brussels, remained two days to take rest before proceeding to Switzerland by way of Germany. His greatest subject of disquietude at this time was the scarcity that threatened Paris. In the preceding winter his indefatigable exertions had preserved the capital from the misfortune of famine; but the bad harvest rendered it more and more necessary to have recourse to foreign arrivals, and to the credit of the great mercantile houses of Europe. He had consequently written in the beginning of July to Messrs. Hope, the celebrated Amsterdam merchants; and apprehensive that, in the existing posture of affairs, they might be averse to undertake the purchase of corn for France, unless he personally guaranteed the payment, he had offered them security to the extent of a million livres on his private fortune. On arriving at Brussels, M. Necker recalled this guarantee to his mind. He had reason to apprehend that, in the crisis of a revolution,

the duties of government might be neglected, or that the news of his departure might be prejudicial to the public credit. Messrs. Hope, in particular, might presume that, under such circumstances, M. Necker would withdraw his security; but he even wrote to them from Brussels that he was exiled from France, but that they were to consider the personal engagement he had taken as unaltered.

The baron de Breteuil, during the few days that he was minister, received the answer of Messrs. Hope to M. Necker's first letter, which contained an offer to guarantee their purchases by his private fortune. M. du Fresne de St. Leon, chief clerk in the finance department, a man of penetration and decision, gave this letter to the Baron de Breteuil, who treated the whole as folly: "What," said he, "can the private fortune of a minister have to do with the public interest?" He might as well have added, "Why does this foreigner interfere at all with the affairs of France?"

During the interval that M. Necker was travelling along the German frontier, the revolution of the 14th July took place at Paris. Madame de Polignac, whom he had left at Versailles all powerful by the Queen's favour, sent for him to his great surprise in an inn at Bâle,

and apprized him that she had fled in consequence of the events that had occurred. M. Necker could not conceive the possibility of proscriptions, and he was long in comprehending the motives that had led to the departure of Madame de Polignac. Letters brought by couriers, orders from the King, and invitations from the Assembly, all pressed him to resume his situation. "M. Necker," says Burke, in one of his writings, "was recalled, like Pompey, to his misfortune, and, like Marius, he sat down on ruins." M. and Madame Necker saw the matter in this light, and it will appear from the details that I have given in the private life of my father, how much it cost him to take the determination of returning.

All the flattering circumstances attending his recall, could not blind him in regard to the actual state of things. Murders had been committed by the people on the 14th July, and M. Necker, at once religious and philosophic in his manner of viewing things, abandoned all hope of the success of a cause already marked by bloodshed. Nor could he flatter himself with possessing the confidence of the King, since Louis recalled him only from dread of the danger to which his absence exposed him. Had he been actuated merely by ambition, nothing

was easier than to return in triumph, supporting himself on the strength of the National Assembly; but it was only to sacrifice himself to the King, and to France, that M. Necker consented to resume his station after the Revolution of the 14th July. He was in hopes of rendering service to the country by lavishing his popularity in the defence of the royal authority, now too much weakened. A man exiled by the aristocratic party, would, he trusted, be heard with some favour when he pleaded their cause. A distinguished citizen, in whom twenty-seven years of revolution daily discovered new virtues, an admirable orator, whose eloquence has defended the cause of his father, of his country, and of his King, Lally Tollendal, equally strong in addresses to reason, and appeals to feeling—one who is never led away from truth by enthusiasm, expressed himself thus on M. Necker's character and conduct, at the time of his removal:

"We have just learned, Gentlemen, the deception practised on the confidence of a King whom we love, and the wound given to the hopes of the nation whom we represent.

"I will not now repeat all that has been said to you, with as much justice as energy; I will

lay before you a plain sketch, and ask of you to accompany me back to the month of August of last year.

" The King was deceived.

" The laws were without administrators, and a population of twenty-five millions without judges;

" The treasury without money, without credit, without the means of preventing a general bankruptcy, which in fact would have taken place in the course of a few days;

" The executive power had neither respect for the liberty of individuals, nor strength to maintain public order; the people without any resource but the convocation of the States General, yet hopeless of obtaining it, and distrustful even of the promise of a King whose probity they revered, because they persisted in believing that the ministers of the day would elude compliance.

" To these political afflictions Providence, in its anger, had joined others; ravage and desolation was spread through the country; famine appeared in the distance, threatening a part of the kingdom.

" The cry of truth reached the King's ears; his eye fixed itself on this distressing picture;

his puré and upright heart was moved; he yielded to the wish of the people; he recalled the minister whom the people demanded.

" Justice resumed its course.

" The public treasury was filled; credit reappeared as in times of the greatest prosperity; the infamous name of bankruptcy was no longer pronounced.

" The prisons were opened, and restored to society the victims whom they contained.

" The insurrections, of which the seeds had been sown in several provinces, and which were likely to lead to the most dreadful results, were confined to troubles certainly afflicting in their nature, but temporary, and soon appeased by prudence and lenity.

" The States General were once more promised: no one was now doubtful of their meeting, when they saw a virtuous King confide the execution of his promise to a virtuous minister. The King's name was covered with benedictions.

" The season of scarcity came. Immense exertions, the sea covered with shipping, all the powers of Europe applied to, the two hemispheres put under contribution for our subsistence, more than fourteen hundred thousand quintals of corn and flour imported among us, a million sterling expended by the royal trea-

sury, an active, efficacious, unremitted anxiety applied every day, every hour, in every place succeeded in warding off this calamity; and the paternal disquietude, the generous sacrifices of the King, published by his minister, excited in the hearts of all his subjects new feelings of love and gratitude.

"Finally, in spite of numberless obstacles, the States General were assembled. The States General assembled! How many things, Gentlemen, are comprised in these few words! how many benefits do they suggest! to what a degree ought the gratitude of Frenchmen to be fixed on them! Division showed itself, to a certain extent, in the outset of this memorable assembly; let us beware of reproaching each other with it, and let none of us pretend to be wholly guiltless of it. Let us rather say for the sake of peace, that every one of us may have allowed himself to fall into some venial errors; let us say that the last moment of prejudice is like the last moment of him whom it torments—that at the instant it is about to expire, it acquires a temporary animation, and shows a final gleam of existence. Let us acknowledge that, as far as human exertions could go, there was not one conciliating measure which the minister did not attempt with the most strict impartiality, and

that where he did not succeed, the fault lay in the force of circumstances. But amidst diversity of opinion a patriotic feeling animated every heart; the pacifying efforts of the minister, the reiterated invitations of the King, were at last successful. A re-union took place: every day removed some principle of division; every day produced a motive for reconciliation: a plan of a constitution, sketched by an experienced hand, conceived by an intelligent mind, and an upright heart,* rallied all our minds and all our hearts. We were now making a real progress: we now entered effectually on our task, and France was beginning to respire.

"It is at this instant, after overcoming so many obstacles, in the midst of so many hopes and so many wants, that perfidious advisers removed from the most just of kings, his most faithful servant, and, from the nation, the citizen minister in whom she had placed her confidence.

"Who then are his accusers before the throne? certainly not the parliaments, whom he recalled; certainly not the people, whom he saved from famine; nor the public creditors, whom he was the means of paying; nor the upright citizens,

* Mounier.

whose wishes he has seconded. Who are they then? I do not know, but some there must be; the justice, the well-known goodness of the King do not allow me to doubt it—whoever they are, their guilt is serious.

"If we cannot trace the accusers, let us endeavour to find the crimes which they may have laid to his charge. This minister, whom the King had granted to his people as a gift of love, in what manner has he become all at once the object of animadversion? what has he done for a twelvemonth past? we have just seen it, I have said it, and I now repeat it:—when there was no money in the treasury, he paid us; when we had no bread, he fed us; when there was no strength in the executive power, he calmed insurrection. I have heard him accused alternately of shaking the throne, and of rendering the King despotic; of sacrificing the people to the *noblesse*, and the *noblesse* to the people. I considered these accusations the ordinary lot of the just and impartial, and the double censure appeared to me a double homage.

"I recollect further having heard him called a factious man; I asked myself the meaning of the expression. I asked what other minister had ever been more devoted to the master whom he served, what other had been more eager to

publish the virtues and good actions of the King, what other had given or procured to him a larger share of benedictions, of testimonies of love, and of respect.

" Members of the Commons! whose noble sympathy made you rush before him on the day of his last triumph; that day, when after fearing you would lose him, you flattered yourselves that he was restored to you for a longer time; when you surrounded him, when in the name of the people, of whom you are the august representatives, in the name of the King, whose faithful subjects you are, you entreated him to remain the minister of both, while you were melted even to tears; ah! say if it was with a factious look, or with the insolence of the leader of a party, that he received all these testimonies of your affection? Did he say to you, or did he ask you any thing but to put your confidence in the King, to love the King, and to render this assembly dear to the King? Members of the Commons, answer me, I entreat you, and if my voice presumes to give publicity to a falsehood, let yours arise to confound me.

" And his manner of retiring, Gentlemen, did it bear in any respect the appearance of a factious mind? His most trusted servants, his most affectionate friends, even his family, re-

mained ignorant of his departure. He professed that he was going to the country; he left a prey to anxiety all who were connected with him, all who were attached to him; a night was passed in seeking him in all directions. Such behaviour would be perfectly natural in the case of a prevaricator eager to escape the public indignation; but when you consider that he did it to withdraw from its homage, from expressions of regret which would have followed him along his way, and which might have soothed his misfortunes; that he should have deprived himself of this comfort, and suffered in the persons of all whom he loved, rather than be the cause of a moment's disorder or popular commotion; that in short the last feeling that he experienced, the last duty that he prescribed to himself in quitting that France from which he was banished, consisted in giving the King and the nation this proof of respect and attachment —we must either not believe in the existence of virtue, or confess that virtue is here displayed in as pure a form as she ever exhibited on earth."

All that I had hitherto seen—the transports of the people which I had witnessed, my father's carriage drawn by the citizens of the towns through which we passed—women on their

knees when they saw him pass along the road—nothing made me experience so lively an emotion, as such an opinion pronounced by such a man.

In less than a fortnight two millions of national guards were under arms in France. The arming of this militia was, no doubt, quickened by the dexterous circulation of a rumour in every town and village that the enemy was at hand; but the unanimous feeling that drew the people from a state of tutelage was inspired by no artifice, and directed by no party; the ascendency of the privileged bodies, and the strength of regular troops, disappeared in an instant. The nation took the place of all; it said, like the Cid, "We now arise;" and to show itself was to accomplish the victory. But alas! it also, in a short time, was depraved by flatterers, because it was become a power.

In the journey from Bâle to Paris, the newly constituted authorities came out to address M. Necker, as he passed through the towns; he recommended to them respect for property, attention to the clergy and nobility, and love for the King. He prevailed on them to grant passports to several persons who were quitting France. The baron de Besenval, who had commanded a part of the German troops, was ar-

rested at the distance of ten leagues from Paris, and the municipality of the capital had ordered him to be brought thither. M. Necker took on himself to suspend the execution of this order, in the dread, for which there were but too strong reasons, that the populace of Paris would have massacred him in its rage. But M. Necker felt all the danger that he incurred, in acting thus on the mere ground of his popularity. Accordingly, the day after his return to Versailles, he repaired to the Hotel de Ville of Paris to give an explanation of his conduct.

Let me be permitted to dwell once more on this day, the last of pure happiness in my life, which, however, had hardly begun its course. The whole population of Paris rushed in crowds into the streets; men and women were seen at the windows, and on the roofs, calling out *Vive M. Necker.* As he drew near the *Hotel de Ville* the acclamations redoubled, the square was filled with a multitude animated by one feeling, and pressing forward to receive a single man, and that man was my father. He entered the hall of the *Hotel de Ville*, explained to the newly elected magistrates the order that he had given to save M. de Besenval; and urging to them, with his accustomed delicacy, all that pleaded in favour of those who had acted in

obedience to their sovereign, and in defence of a state of things that had existed during several centuries, he asked an amnesty for the past, whatever it might be, and reconciliation for the future. The confederates of Rutli, in the beginning of the fourteenth century, when they swore to deliver Switzerland, swore at the same time to be just towards their adversaries; and it was doubtless to this noble resolution that they were indebted for their triumph. Hardly had M. Necker pronounced the word amnesty, than it came home to every heart; the people collected in the square were eager to participate in it. M. Necker then came forward on the balcony, and proclaiming in a loud voice the sacred words of peace among Frenchmen of all parties, the whole multitude answered him with transport. As for me, I saw nothing after this instant, for I was bereft of my senses by joy.

Amiable and generous France, adieu! *Adieu*, France, which desired liberty, and which might then so easily have obtained it! I am now doomed to relate first your faults, next your crimes, and lastly your misfortunes: gleams of your virtues will still appear; but the light which they cast will serve only to show more clearly the depth of your miseries. Yet you have ever possessed such titles to be loved, that

the mind still cherishes the hope of finding you what you were in the earliest days of national union. A friend returning after a long absence, would be welcomed more kindly for the separation.

PART II.

CHAPTER I.

Mirabeau.

ONE would almost say that in every era of history there are personages who should be considered as the representatives of the good and of the wicked principle. Such, in Rome, were Cicero and Catiline; such, in France, were M. Necker and Mirabeau. Mirabeau, gifted with the most comprehensive and energetic mind, thought himself sufficiently strong to overthrow the government, and to erect on its ruins a system, of some kind or other, that would have been the work of his own hands. This gigantic project was the ruin of France, and the ruin of himself; for he acted at first in the spirit of faction, although his real manner of judging was that of the most reflecting statesman. He was then of the age of forty, and had passed his whole life in

law-suits, abduction of women, and in prisons; he was excluded from good society, and his first wish was to regain his station in it. But he thought it necessary to set on fire the whole social edifice, that the doors of the Paris saloons might be opened to him. Like other immoral men, Mirabeau looked first to his personal interest in public affairs, and his foresight was limited by his egotism.

An unfortunate deputy of the *Tiers Etat*, a well intentioned but a very weak man, gave the Constituent Assembly an account of what had passed at the *Hotel de Ville*, and of the triumph obtained by M. Necker over the emotions of hatred which some persons had attempted to excite among the people. This deputy expressed himself with so much hesitation, and so much coldness, and still was so desirous to act an eloquent part, that he destroyed all the effect of the admirable recital which he had taken on himself. Mirabeau, his pride deeply wounded at the success of M. Necker, flattered himself with defeating the triumph of enthusiasm by throwing out ironical insinuations in the Assembly, and suspicions among the people. He repaired on that very day to all the sections of Paris, and prevailed on them to retract the amnesty granted the day before.

He endeavoured to excite exasperation against the late projects of the court, and alarmed the Parisians by the dread of passing for the dupes of their good nature, an apprehension that operates very potently on them, for they aim above all things at being considered quick-sighted and formidable. Mirabeau, by snatching from M. Necker the palm of domestic peace, struck the first blow at his popularity; but this reverse could not but be followed by a number of others; for from the time that the popular party were urged to persecute the vanquished, M. Necker could no longer make common cause with the victors.

Mirabeau proceeded to circulate doctrines of the wildest anarchy, although his intellect when viewed apart from his character, was perfectly sound and luminous. M. Necker has said of him in one of his writings that he was "a demagogue by calculation, and an aristocrat by disposition." There cannot be a more correct sketch of the man; not only was his mind too enlightened to avoid perceiving the impossibility of a democratic government in France; but he would not have desired it, had it been practicable. He was vain in a high degree of his birth, and could not speak of the day of St. Bartholomew, without saying, "Admiral Co-

ligni, who, by the way, was a relation of my family." So desirous was he of reminding people on all occasions of his descent.

His expensive habits made money extremely necessary to him, and M. Necker has been blamed for not having taken him into the pay of the court on the opening of the States General. But other ministers had undertaken this kind of business, for which M. Necker was by no means calculated. Besides, Mirabeau, whether he took the money of the court or not, was determined to render himself not the instrument but the master of the court, and he never would have been prevailed on to renounce his power as a demagogue, until that power had raised him to the head of the government. He urged the union of all power in a single assembly, although perfectly aware that such a plan was hostile to the public welfare; but he flattered himself that France would thus fall into his hands, and that, after having precipitated her into confusion, he should have the power of reinstating her when he thought proper. Morality is the first of sciences, even in the light of calculation!—there are always limits to the intellect of those who have not felt the harmony that exists between the nature of things and the duties of man. "*La petite morale tue la*

grande—morality in small things destroys morality in great," was a frequent remark of Mirabeau; but an opportunity of exercising the latter hardly occurred, according to his views, in the course of a life.

He possessed a larger share of intellect than of talent, and it was not without difficulty that he spoke *extempore* in the assembly. A similar difficulty in composing made him have recourse to the assistance of friends in all his works; yet not one of them after his death would have been capable of writing what he had found means to inspire into them. In speaking of the Abbe Maury he used to say, "When he is on the right side of the question, we debate; when he is on the wrong, I crush him;" but the truth was, that the Abbé Maury often defended even a good cause with that kind of eloquence which does not proceed from real emotion of the heart.

Had ministers been allowed to sit in the assembly, M. Necker, who was capable of expressing himself with the greatest warmth and force, would, I believe, have triumphed over Mirabeau. But he could not enter on debate, and was obliged to confine himself to the transmission of memorials. Mirabeau was in the habit of attacking the minister in his absence,

amidst praises of his goodness, his generosity, his popularity, the whole expressed with a deceitful respect that was extremely to be dreaded. Yet he had a sincere admiration for M. Necker, and acknowledged it to his friends; but he well knew that so scrupulous a character would never coalesce with his own, and his grand object was to overset its influence.

M. Necker was reduced to act on the defensive; the other assailed with the more confidence, that neither the success nor the responsibility of administration were his concern. M. Necker, by defending the royal authority, necessarily sacrificed his favour with the popular party. He knew besides, by experience, that the King had secret counsellors and private plans, and he was by no means certain of prevailing on him to follow the course that he thought best. Obstacles of every kind impeded his measures; he was not at liberty to speak openly on any subject; the line however which he invariably followed was that which was pointed out to him by his duty as minister. The nation and the King had exchanged places: the King had become by much, far too much, the weaker party. It was thus incumbent on M. Necker to defend the throne against the nation, as he had defended the nation against the throne.

But Mirabeau was not to be restrained by those generous sentiments; he put himself at the head of a party who aimed at political importance, cost what it would; and the most abstract principles were in his hands nothing but instruments of intrigue.

Nature had effectually seconded him by giving him those defects and advantages that operate on a popular assembly: sarcasm, irony, force, and originality. The moment he rose to speak, the moment he stepped to the tribune, the curiosity of all was excited; nobody esteemed him, but the impression of his talents was such, that no one dared to attack him, if we except those members of the aristocratic body, who, declining a conflict in debate, thought proper to send him challenge after challenge to meet them with the sword. He always refused these challenges, and merely noted the names of the parties in his pocket book, with a promise that they should be answered at the dissolution of the assembly. It is not fair, he said, in speaking of an honest country gentleman, of I do not know what province, to expose a man of talent like me, against a blockhead like him. And, what is very extraordinary in such a country as France, this behaviour had not the effect of bringing him into contempt, it did not even

make his courage suspected. There was something so martial in his mind, and so bold in his manner, that no one could impute cowardice in any way to such a man.

CHAPTER II.

Of the Constituent Assembly after the 14th July.

THE *Tiers Etat*, and the minority of the *noblesse* and clergy, formed the majority of the Constituent Assembly; and this assembly disposed of the fate of France. After the 14th July, nothing could be more striking than the sight of twelve hundred deputies, listened to by numerous spectators, and kindling at the very name of those great truths, which have occupied the human mind since the origin of society. This assembly partook of the passions of the people; but no collection of men could present such an imposing mass of information. Thoughts were communicated there with electric rapidity, because the action of man on man is irresistible, and because nothing appealed more strongly to the imagination than that unarmed will (*volonté sans armes*) bursting the ancient chains, forged originally by conquest, and now suddenly disappearing before the simplicity of reason. We must carry our-

selves back to 1789, when prejudice had been the only cause of mischief, and when unsullied liberty was the idol of enlightened minds. With what enthusiasm did one contemplate such a number of persons of different classes, some coming to make sacrifices, others to enter on the possession of their rights. Yet there were symptoms of a certain arrogance of power, among those sovereigns of a new kind, who considered themselves depositories of a power without limits, the power of the people. The English had proceeded slowly in forming a new political constitution; the French, seeing it had stood its ground firmly for more than a century, ought to have been satisfied with its imitation.

Mounier, Lally, Malouet, Clermont-Tonnerre, came forward in support of the royal prerogative, as soon as the Revolution had disarmed the partisans of the old regime. This course was dictated, not only by reflection, but by that involuntary sympathy which we feel for the powerful in a state of misfortune, particularly when surrounded by august recollections. This generous feeling would have been that of the French at large, if the necessity of applause did not with them rise pre-eminent to every other impulse; and the spirit of the time

inspired the maxims of demagogues into those very persons, who were afterwards to become the apologists of despotism.

A man of talent said some time ago, "Whoever may be named finance minister, may consider me beforehand as his friend, and even as, in some degree, his relation." In France, on the other hand, it is a duty to befriend the vanquished party, be it what it may; for the possession of power produces a more depraving effect on the French than on any other nation. The habit of living at court, or the desire of getting there, forms their minds to vanity; and, in an arbitrary government, people have no idea of any doctrine but that of success. It was the faults generated and brought forth by servility which were the cause of the excesses of licentiousness.

Every town, every village, sent its congratulations to the assembly; and, whoever had composed one of these forty thousand addresses, began to think himself a rival to Montesquieu.

The crowd of spectators, admitted into the galleries, stimulated the speakers to such a degree, that each endeavoured to obtain a share in those peals of applause, which were so new and so seductive to the self-love of the individual. In the British parliament it is a rule not to read

a speech, it must be spoken; so that the number of persons capable of addressing the house with effect is necessarily very small: but, as soon as permission is given to read either what we have written for ourselves, or what others have written for us, men of eminence are no longer the permanent leaders of an assembly, and we thus lose one of the great advantages of a free government—that of giving talent its place, and, consequently, prompting all men to the improvement of their faculties. When one can become a courtier of the people with as little exertion as makes one a courtier of a prince, the cause of mankind gains nothing by the change.

The democratic declamations, which obtained success in the assembly, were transformed into actual outrage in the country; country-seats were burned in fulfilment of the epigrams pronounced by the popular speakers, and the kingdom was thrown into confusion by a war of words.

The assembly was seized with a philosophic enthusiasm, proceeding, in part, from the example of the United States of America. That country, new as yet to history, had nothing in the shape of ancient usage to preserve, if we except the excellent regulations of English jurisprudence, which, long ago adopted in

America, had there implanted a feeling of justice and moderation. The French flattered themselves with the power of adopting for the basis of their government the principles that suited a new people; but, situated in the midst of Europe, and embarrassed with a privileged caste, whose claims it was necessary to quiet, the plan was impracticable: besides, how were they to conciliate the institutions of a republic with the existence of a monarchy? The English constitution offered the only example of the solution of this problem. But a mania of vanity, something like that of a man of letters, prompted the French to innovate in this respect: they had all the fastidious apprehension of an author who refuses to borrow either character or situations from existing works. Now, as far as fiction goes, we do well to aim at originality; but, when real institutions are in question, we are fortunate in having before us a practical proof of their utility. I should certainly be ashamed at this time, more than any other, to take part in declamations against the first representative assembly of France: it contained men of the greatest merit, and it is to the reforms introduced by it that the nation is still indebted for the stock of reason and liberty which it will, and ought to preserve, at whatever

sacrifice. But, if this assembly had added to its shining talents a more scrupulous regard to morality, it would have found the happy medium between the two parties, who, if we may use the expression, contested with each other the theory of politics.

CHAPTER III.

General La Fayette.

M. DE LA FAYETTE, having fought from his early youth for the cause of America, had early become imbued with the principles of liberty which form the basis of that government. If he made mistakes in regard to the French Revolution, we are to ascribe them all to his admiration of the American institutions, and of Washington, the hero citizen, who guided the first steps of that nation in the career of independence. La Fayette, young, affluent, of noble family, and beloved at home, relinquished all these advantages at the age of nineteen, to serve beyond the ocean in the cause of that liberty, the love of which has decided every action of his life. Had he had the happiness to be a native of the United States, his conduct would have been that of Washington: the same disinterestedness, the same enthusiasm, the same perseverance in their opinions, distinguished each of these generous friends of humanity. Had General Washington

been, like the Marquis de la Fayette, commander of the national guard of Paris, *he* also might have found it impossible to control the course of circumstances; *he* also might have seen his efforts baffled by the difficulty of being at once faithful to his engagements to the King, and of establishing at the same time the liberty of his country.

M. de la Fayette, I must say, has a right to be considered a true republican; none of the vanities of his rank ever entered his head; power, the effect of which is so great in France, had no ascendency over him; the desire of pleasing in drawing-room conversation did not with him influence a single phrase; he sacrificed all his fortune to his opinions with the most generous indifference. When in the prisons of Olmutz, as when at the height of his influence, he was equally firm in his attachment to his principles. His manner of seeing and acting is open and direct. Whoever has marked his conduct may foretell with certainty what he will do on any particular occasion. His political feeling is that of a citizen of the United States, and even his person is more English than French. The hatred of which M. de la Fayette is the object has never embittered his temper, and his gentleness of soul

is complete; at the same time nothing has ever modified his opinions, and his confidence in the triumph of liberty is the same as that of a pious man in a future life. These sentiments, so contrary to the selfish calculations of most of the men who have acted a part in France, may appear pitiable in the eyes of some persons— "It is so silly," they think, "to prefer one's country to one's self, not to change one's party when that party is worsted; in short, to consider mankind, not as cards with which to play a winning game, but as the sacred objects of unlimited sacrifices." If this is to form the charge of silliness, would that it were but once merited by our men of talents!

It is a singular phenomenon that such a character as that of M. de la Fayette should have appeared in the foremost rank of French *noblesse;* but he can neither be censured nor exculpated with impartiality, without being acknowledged to be such as I have described him. It then becomes easy to understand the different contrasts which naturally arose between his disposition and his situation. Supporting monarchy more from duty than attachment, he drew involuntarily towards the principles of the democrats whom he was obliged to resist; and a certain kindness for the advocates of the re-

publican form was perceptible in him, although his reflection forbade the admission of their system into France. Since the departure of M. de la Fayette for America, now forty years ago, we cannot quote a single action or a single word of his which was not direct and consistent; personal interest never blended itself in the least with his public conduct. Success would have displayed such sentiments to advantage; but they claim the attention of the historian, in spite of circumstances, and in spite even of faults, which may serve as a handle to his opponents.

On the 11th July, before the *Tiers Etat* had obtained their triumph, M. de la Fayette addressed the Constituent Assembly, and proposed a declaration of rights, nearly similar to that which the Americans placed at the head of their constitution, after conquering their independence. The English, likewise, after excluding the Stuarts, and calling William III. to the crown, made him sign a bill of rights, on which their present constitution is founded. But the American declaration of rights being intended for a people where there were no pre-existing privileges to impede the pure operation of reason, there was a propriety in prefixing a declaration of the universal principles of poli-

tical liberty and equality, altogether in conformity with the state of knowledge already diffused among them. In England the bill of rights did not proceed on general ideas; it confirmed existing laws and institutions.

The French declaration of rights in 1789 contained the best part of those of England and America; but it would have perhaps been better to have confined it, on the one hand, to what was indisputable, and, on the other, to what would not have admitted of any dangerous interpretation. There can be no doubt that *distinctions in society can have no other object than the general good; that all political power takes its rise from the interest of the people; that men are born and remain free and equal in the eye of the law;* but there is ample space for sophistry in so wide a field, while nothing is more clear or undoubted than the application of these truths to individual liberty, the establishment of juries, the freedom of the press, popular elections, the division of the legislative power, the sanctioning of taxes, &c.

Philippe le Long said that "Every man, in particular every Frenchman, was born, and remained free:" he was, it is well known, very far from imposing any restraint on himself, from the consequences of this maxim. A nation,

however, is likely to take words of this nature in a much more extensive sense than a king. When the declaration of the rights of man appeared in the Constituent Assembly, in the midst of that young *noblesse* who so lately had figured as courtiers, they came forth one after the other with a string of philosophic phrases; entering with self-complacency into minute discussions on the mode of expressing this or that maxim, the truth of which, however, is so evident that the plainest words in any language are equally capable of conveying it. It was then foreseen that nothing durable could be produced by a mode of debating into which vanity, at once frivolous and factious, had so soon found its way.

CHAPTER IV.

Of the Good effected by the Constituent Assembly.

BEFORE entering on the distressing events which have disfigured the French revolution, and lost, perhaps, for a considerable time, the cause of reason and liberty in Europe, let us examine the principles proclaimed by the Constituent Assembly, and exhibit a sketch of the advantages which their application has produced, and still produces in France, in spite of all the misfortunes that have pressed on that country.

The use of torture still subsisted in 1789; the King had abolished only the rack before trial; punishments, such as straining on the wheel, and torments similar to those which during three days were inflicted on Damiens, were, in certain cases, still admitted. The Constituent Assembly abolished even the name of these judicial barbarities. The penal laws against the Protestants, already modified in 1787, by the predecessors of the States Ge-

neral, were replaced by the most complete liberty of public worship.

Criminal processes were not carried on in public, and not only were a number of irreparable mistakes committed, but a much greater number were supposed; for whatever is not public in the administration of justice is sure to be accounted unfair.

The Constituent Assembly introduced into France all the criminal jurisprudence of England, and perhaps improved it in several respects, as they were not checked in their labours by ancient usages. M. de la Fayette, from the time that he was placed at the head of the armed force of Paris, declared to the magistrates of that city, that he could not take upon himself to arrest any one, unless the accused were to be provided with counsel, a copy of the charge, the power of confronting witnesses, and publicity given to the whole procedure. In consequence of this demand, equally liberal and rare on the part of a military man, the magistrates asked and obtained from the Constituent Assembly that those precious securities should be in force till the establishment of juries should prevent all anxiety about the equity of the decisions.

The parliaments of France were, as is appa-

rent from their history, bodies possessing certain privileges, and acting frequently as the instruments of political passions; but from their having a certain independence in their constitution, and preserving a strict respect for forms, the King's ministers were almost always in a state of altercation with them. Since the commencement of the French monarchy there has, as we have already remarked, hardly existed a state offence, the cognizance of which has not been withdrawn from the ordinary courts, or in the decision of which the forms enjoined by law were preserved. In examining the endless list of ministers, noblemen, and citizens, condemned to death on political grounds during several centuries, we see, and it is to the honour of the established judges that we say it, that government was obliged to commit the trials to extraordinary commissions when it wished to secure a conviction. These commissions were, it is true, usually composed of men who had been judges, but they were not formed on the established plan; and yet government had but too much reason to reckon with confidence on the spirit of the courts. Criminal jurisprudence in France seemed entirely adapted to avenge the wrongs of government, and in nowise to protect individuals. In consequence of the

aristocratic abuses which oppressed the nation, civil actions were conducted with much more equity than the criminal, because the higher ranks were more interested in them. In France, even at present, very little difference is made between a man brought to trial, and a man found guilty; while in England, the judge himself apprizes the accused of the importance of the questions he is about to put to him, and of the danger to which he may expose himself by his answers. To begin with the arts of the commissaries of police, and end with the application of torture, we find that there scarcely exists a method that has not been employed by the old jurisprudence, and by the tribunals of the revolution, to ensnare the man brought to trial; the man for whom society is the more pledged to provide the means of defence, because it considers itself to have the melancholy right of taking away his life.

Had the Constituent Assembly abolished the punishment of death, at least for political offences, perhaps the judicial assassinations which we have witnessed would not have taken place. The Emperor Leopold II., in his capacity of Grand Duke of Tuscany, abolished the punishment of death in his territories, and so far from increasing offences by the mildness of his legis-

lation, the prisons were empty during several months successively, a thing never before known in that country. The National Assembly substituted for the parliaments, composed of men who had purchased their places, the admirable institutions of juries, which will be daily more venerated as the public becomes more sensible of its advantages. Particular circumstances, of rare occurrence, may intimidate jurymen when both government and the people unite to alarm them; but we have seen most of the factions which have succeeded to power distrust these equitable tribunals, and replace them by military commissions, and by prevôtal or by special courts, which are merely so many names to disguise political murders. The Constituent Assembly on the other hand, limited, as much as it possibly could, the competency of courts-martial, confining their jurisdiction to trespasses committed by soldiers in time of war, and out of the territory of France: it deprived the prevôtal courts of those powers which it has since been unluckily attempted to renew and even to extend.

Lettres de cachet enabled the King, and consequently his ministers, to exile, transport, or imprison for life, any man without even the form of trial. A power of this nature, wherever it

exists, is equivalent to despotism: it ought to have fallen from the first day that the deputies of the French nation were assembled.

The Constituent Assembly, by proclaiming complete liberty of worship, replaced religion in its sanctuary—the conscience; and twelve centuries of superstition, hypocrisy, and massacre, were no longer to be traced; thanks to the short interval in which the power of legislation was placed in the hands of enlightened men.

Religious vows were no longer deemed obligatory in law; every individual, of either sex, was left at liberty to impose on themselves the most singular privations, if they thought that such was the mode of pleasing the author of all pure and virtuous enjoyments: but society no longer took on itself to force either monks or nuns to remain in their secluded abodes, if they repented an unfortunate promise made in a moment of enthusiasm. The younger sons of families, frequently obliged to enter the ecclesiastical state, were now freed from restraint, and were afterwards set still more at liberty when the property of the clergy became the property of the country.

A hundred thousand individuals of the rank of *noblesse* were exempt from the payment of taxes. They were not accountable for an

insult committed on a citizen, or on a soldier of the *Tiers Etat,* because they were considered as of a different race. Officers could be appointed only from among those privileged persons, with the exception of the artillery and engineer departments, in which there was required a larger share of information than was in general possessed by the provincial *noblesse.* Regiments were, however, given to young men of rank incapable of commanding them, because, their birth preventing them from following any other than the military profession, it became incumbent on government to provide for their support. The consequence was that, with the exception of personal courage, the French army under the old regime was becoming daily less and less respectable in the eyes of foreigners. What emulation, and what military talents, has not the equality of the citizens drawn forth in France! It is thus that we owe to the Constituent Assembly that glory of our arms of which we had reason to be proud, so long as it did not become the property of one man.

The unlimited power of the King enabled him, by a *lettre de cachet,* to shield a man of rank from prosecution when he had been guilty of a crime. Of this the Comte de Charalois was a striking example in the last century, and many

others of the same nature might be quoted. Yet by a singular contrast the relations of the nobility lost none of their respectability when one of their number underwent a capital punishment; while the family of a man of the *Tiers Etat* was dishonoured if he was condemned to the infamous death of hanging, from which the *noblesse* alone were exempt.

All these prejudices vanished in a day. The power of reason is immense, as soon as it can show itself without obstruction. The efforts made in the last fifteen years have been in vain: it will be found impracticable to bring back the nation to the endurance of those abuses which force alone had maintained.

We are indebted to the Constituent Assembly for the suppression of the privileged castes in France, and for civil liberty to all; at least, we owe to them liberty, such as it exists in their decrees: for it has been always found necessary to deviate from these decrees when attempts were made to re-establish suppressed abuses either under new or old names.

Law in France was so varied and multiform, that not only were the different orders of the state governed by different laws, but almost each province, as we have already remarked, had its distinct privileges. The Constituent

Assembly, by dividing France into eighty-three departments, effaced these ancient separations: it suppressed the taxes on salt and tobacco, taxes equally expensive and vexatious, which exposed to the severest punishment a number of fathers of families who were tempted, by the facility of contraband, to violate unjust laws. The taxes were rendered uniform, and this advantage, at least, is secured for ever.

Distinctions of all kinds were invented by the *noblesse* of the second order to protect them from that equality with which they are in truth very closely threatened. The privileged of yesterday aimed, above all things, to escape being confounded with the people of whom they were so lately a part. The tithes and feudal services pressed heavily on the poor; compulsory service, such as that of the *corvée*, and other relicts of feudal barbarism, were still general. The game laws contained provisions ruinous to the farmers, and the insolent tone of these laws was to the full as revolting as the actual evil that resulted from them.

If we are surprised that France should still have so many resources in spite of her misfortunes; if, notwithstanding the loss of her colonies, commerce has opened new paths; if the progress of agriculture is wonderful in spite of

the conscription, and the invasion of foreign troops, it is to the decrees of the Constituent Assembly that we are to attribute it. France under the old form, would have sunk under the thousandth part of the disasters which France of the present day has supported.

The division of properties, by the sale of the church lands, has relieved a very numerous class of society from a state of misery. It is to the suppression of the rights of corporations and wardenships, and to the removal of all restraints on industry, that we are to attribute the increase of manufactures, and the spirit of enterprise which has shown itself in all directions. In short, a nation, long fixed to the soil, has come forth in a manner from under ground; and we are astonished, after all the scourges of civil discord, at the store of talent, wealth, and emulation, in a country delivered from the threefold fetters of an intolerant church, a feudal nobility, and an unlimited monarchy.

The finances, which seemed so complicated a labour, assumed regularity almost of themselves, as soon as it was decided that the taxes should await the sanction of the representatives of the people, and that publicity should be given to the accounts of revenue and expenditure. The Constituent Assembly is perhaps the only one

in France that fully represented the national wish; and it is on that account that its strength was incalculable.

Another aristocracy, that of the capital, had also an imperious sway. Every thing was done at Paris, or rather at Versailles; for all power was concentrated in the minister and in the court. The Constituent Assembly easily accomplished what M. Necker had attempted in vain, the establishment of provincial assemblies. One was constituted in each department, and municipalities were appointed for each town. Local business was thus committed to magistrates who took a real interest in it, and who were personally known to those whose affairs they administered. On all sides were diffused life, emulation, and intelligence: there was a France instead of a capital, a capital instead of a court. The voice of the people, so long called the voice of God, was at last consulted by government; and it would have supplied a wise rule of guidance, had not, as we are doomed to repeat, the Constituent Assembly proceeded with too much precipitation in its reform, from the very commencement of its power; and had it not soon after fallen into the hands of factious men, who, having nothing more to reap in the field of beneficence, endeavoured to excite mischief, that they might enter on a new career.

The establishment of a national militia (*garde nationale*) is another very great benefit derived from the Constituent Assembly. No liberty can exist in that country where arms are borne only by soldiers, and not by citizens. Finally, this Assembly, in proclaiming the renunciation of conquests, seemed inspired by prophetic dread; wishing to turn the vivacity of the French towards internal improvement, and raise the dominion of thought above that of arms. All inferior men are ready to call the bayonet to their assistance against the arguments of reason, that they may act by means just as mechanical as their own understanding; but superior minds desire nothing but the free exercise of thought, and are aware how much a state of war is unfavourable to it. The good produced by the Constituent Assembly in France, doubtless, inspired the nation with that energetic feeling, which made it defend by arms the rights it had acquired; but we are bound, in justice, to say, that the principles of this assembly were perfectly pacific. It felt no envy towards any portion of Europe; and if it had been shown, in a magic mirror, France losing her liberty by her victories, it would have endeavoured to combat this impulse of the blood, by the more lofty impulse of the understanding.

CHAPTER V.

Liberty of the Press, and state of the Police, during the time of the Constituent Assembly.

NOT only does the Constituent Assembly claim the gratitude of the French people, for the reform of the abuses by which they were oppressed; but we must render it the further praise of being the only one of the authorities which have governed France before and since the revolution, which allowed, freely and unequivocally, the liberty of the press. This it no doubt did more willingly, from the certainty of its having public opinion in its favour; but there can be no free government except on that condition. Moreover, although the great majority of publications were in favour of the principles of the revolution, the newspapers on the aristocratic side attacked, with the greatest bitterness, individuals of the popular party, who could not fail to be irritated by it.

Previous to 1789, Holland and England were the only countries in Europe that enjoyed the liberty of the press secured by law. Political

discussions in periodical journals began at the same time with representative governments; and these governments are inseparable from them. In an absolute monarchy, a court gazette suffices for the publication of official news; but that a whole nation may read daily discussions on public affairs, it is necessary that it should consider public affairs as its own. The liberty of the press is then quite a different matter in countries where there are assemblies, whose debates may be printed every morning in the newspapers, and under the silent government of uncontroled power. The *'censure préalable*, on examination before printing, may, under the latter government, either deprive us of a good work, or preserve us from a bad one. But the case is not the same with newspapers, the interest of which is momentary: these, if subjected to previous examination, are necessarily dependent on ministers; and there is no longer a national representation from the time that the executive power has in its hands, by means of newspapers, the daily moulding of facts and reasonings: this makes it as much master of the public opinion, as of the troops in its pay.

All persons are agreed on the necessity of repressing by law the abuses of the liberty of the press; but if the executive power alone has the

right of giving a tone to the newspapers, which convey to constituents the speeches of their delegates, the censorship is no longer defensive, it is imperative; for it must prescribe the spirit in which the public papers are to be composed. It is not then a negative but a positive power, that is conferred on the ministers of a country, when they are invested with the correction, or rather the composition of newspapers. They are thus enabled to circulate whatever they think proper about an individual, and to prevent that individual from publishing his justification. At the time of the revolution of England, in 1688, it was by sermons delivered in the churches that public opinion was formed. The case is similar in regard to newspapers in France: had the Constituent Assembly forbidden the reading of "the Acts of the Apostles," and permitted only the periodical publications adverse to the aristocratic party, the public, suspecting some mystery, because it witnessed constraint, would not have so cordially attached itself to deputies whose conduct it could not follow, nor appreciate with certainty.

Absolute silence on the part of newspapers would, in that case, be infinitely preferable, since the few letters that would reach the country would convey, at least, some undisguised truths.

The art of printing would bring back mankind to the darkness of sophistry, were it wholly under the management of the executive power, and were governments thus enabled to counterfeit the public voice. Every discovery for the improvement of society is instrumental to a despotic purpose, if it is not conducive to liberty.

But the troubles of France were caused, it will be alleged, by the licentiousness of the press. Who does not now admit that the Constituent Assembly ought to have left seditious publications, like every other public offence, to the judgment of the courts? But if for the purpose of maintaining its power, it had silenced its adversaries, and confined the command of the press to its adherents, the representative government would have been extinguished. A national representation on an imperfect plan is but an additional instrument in the hands of tyranny. The History of England shows how far obsequious parliaments go beyond even ministers themselves in the adulation of power. Responsibility has no terrors to a collective body; besides, the more admirable a thing is in itself, whether we speak of national representation, oratory, or the talent of composition, the more despicable it becomes when

perverted from its natural destination; in that case, that which is naturally bad, proves the less exceptionable of the two.

Representatives form by no means a separate caste; they possess not the gift of miracles; they are of importance only when supported by the nation; but, as soon as that support fails them, a battalion of grenadiers is stronger than an assembly of three hundred deputies. It is then a moral power, which enables them to balance the physical power of that authority which soldiers obey; and this moral power consists entirely in the action of the liberty of the press on the public mind. The power which distributes patronage becomes every thing, as soon as the public opinion, which awards reputation, is reduced to nothing.

But cannot this right, some persons may say, be suspended for a season? And by what means should we then be apprized of the necessity of re-establishing it? The liberty of the press is the single right on which all other rights depend; the security of an army is in its sentinels; When you wish to write against the suspension of that liberty, your arguments on such a subject are exactly what government does not permit you to publish.

There is, however, one circumstance that

may necessitate the submitting of newspapers to examination, that is, to the authority of the government which they ought to enlighten: I mean, when foreigners happen to be masters of a country. But in that case, there is nothing in the country, do what you will, that can be compared to regular government. The only object with the oppressed nation is then to recover, if possible, its independence; and, as in a prison, silence is more likely to soften the jailor than complaint, we should be silent so long as chains are imposed at once on our thoughts and our feelings.

A merit of the highest kind, which belonged, beyond dispute, to the Constituent Assembly, was that of always respecting the principles of freedom, which it proclaimed. Often have I seen sold at the door of an assembly, more powerful than ever was a king of France, the most bitter insults to the members of the majority, their friends, and their principles. The assembly forebore likewise to have recourse to any of the secret expedients of power, and looked to no other support than the general adherence of the country. The secrecy of private correspondence was inviolate, and the invention of a ministry of police did not then figure in the list of possible calamities. The

case in regard to the police is the same as in regard to the restraint on newspapers: the actual state of France, occupied by foreign troops, can alone give a proper conception of its cruel necessity.

When the Constituent Assembly, removed from Versailles to Paris, was, in many respects, no longer mistress of its deliberations, one of its committees thought proper to take the name of Committee of Inquiries, because appointed to examine into the existence of some alleged conspiracies. This committee was without power; it had no means of setting secret inquiries on foot, as it had no spies or agents under its orders, and the freedom of speech was besides wholly unlimited. But the mere name of Committee of Inquiries, analogous to that of the inquisitorial institutions adopted by tyrants in church and state, was productive of general aversion; and poor Voydel, who happened to be president of this committee, although perfectly inoffensive, was not admitted into any party.

The dreadful sect of Jacobins pretended, in the sequel, to found liberty on despotism, and from that system arose all the crimes of the Revolution. But the Constituent Assembly was far from adopting that course; its measures were strictly conformable to its object, and it

was in liberty itself that it sought the strength necessary to establish liberty. Had it combined with this noble indifference to the attacks of its adversaries, for which public opinion avenged it, a proper severity against all publications and meetings which stimulated the populace to disorder; had it considered that the moment any party becomes powerful, its first duty is to repress its own adherents, this assembly would have governed with so much energy and wisdom, that the work of ages might have been accomplished, perhaps, in two years. One can scarcely refrain from believing that that fatality, which so often punishes the pride of man, was here the only obstacle: for, at that time, every thing appeared easy, so great was the union of the public, and so fortunate the combination of circumstances.

CHAPTER VI.

Of the different Parties conspicuous in the Constituent Assembly.

THERE was one general disposition among all the popular party, for all aimed at liberty; but there were particular divisions in the majority as in the minority of the assembly, and most of these divisions were founded on the personal interests which now began to prevail. When the influence of an assembly ceases to be confined within the limits of legislating, and when a great share of the public patronage falls into its hands, the danger in any country, but particularly in France, is, that general views and principles may be perverted to a course of sophistry, which make general truths dexterously subservient to the purposes of individuals.

The aristocratic part of the assembly, called the right side, (*coté droit*) was composed almost entirely of *noblesse*, prelates, and members of the old parliament: scarcely thirty members of the *Tiers Etat* had joined them. This party which had protested against all the reso-

lutions of the assembly, continued its attendance in it only from motives of prudence: all that passed there appeared to it insolent, and unimportant; so ridiculous did they think that discovery of the eighteenth century—*a nation*—while, till then, nothing had been heard of but nobility, priests, and people. When the members of the right side condescended to drop their ironical strain, it was to treat as impious every encroachment made on old institutions; as if the constitution of society alone, in the course of nature, ought to be doomed to the double infirmity of infancy and old age, and to pass too from the crudity of youth to the debility of age, without receiving any real strength from time and experience. The privileged orders made use of religion as a safeguard for the interest of their caste; and it was by thus confounding religious tenets and political exemptions, that they greatly impaired the influence of true Christianity in France.

The orator of the *noblesse*, as I have already remarked, was M. de Casalès, who had been ennobled within the last twenty-five years; for most of the men of talent, among the families of real antiquity, had sided with the popular party. The Abbé Maury, the orator of the clergy, often supported the good cause, because

he was on the side of the vanquished, a circumstance which contributed more to his success than even his talents. The Archbishop of Aix, the Abbé de Montesquiou, and other acute defenders of their orders, sometimes endeavoured, like Casalès, to win the favour of their adversaries, that they might obtain, not an acquiescence in opinion, but an encomium on their talents. The other aristocrats were in the habit of using abusive language to the deputies of the people; and, always unwilling to yield to circumstances, imagined that they were doing good, when they were only aggravating the evil. Wholly occupied in justifying their reputation as prophets, they even desired misfortune, that they might enjoy the satisfaction of having predicted truly.

The two extreme parties in the assembly were in the habit of stationing themselves as at the two ends of an amphitheatre, and of occupying the highest seats on each side. On the right side, coming down, were the party called *la plaine*, or *le marais;* that is, the moderates, for the most part advocates of the English constitution. I have already named their chiefs, Malouet, Lally, and Mounier, than whom there were not more conscientious men in the assembly. But, although Lally possessed the

most impressive eloquence, though Mounier was a political writer of the greatest judgment, and Malouet a practical man of first rate energy; although out of doors they were supported by ministers, with M. Necker at their head, and although in the assembly several men of talent rallied under their opinions, the two extreme parties threw in the back ground those voices, the most pure and intrepid of all. They were still heard in the midst of a misled multitude; but the proud aristocrats could not have patience with men, desirous of establishing a wise, free, and, consequently, durable constitution; and they were often seen to prefer joining the violent democrats, whose folly threatened France and themselves with a frightful anarchy. Such are the characteristics of party spirit, or rather of that extreme self-love, which does not allow men to tolerate any other sentiments than their own.

Next to the moderate or impartial members were the popular party, which, although united on questions of great importance, were divided into four sections, each marked by clear shades of distinction. M. de la Fayette, as commander of the national guard, and the most disinterested and ardent friend of liberty, was much esteemed by the assembly; but his scru-

pulous opinions did not allow him to influence the deliberations of the representatives of the people; and it was, perhaps, too great a sacrifice to him to risk his popularity out of doors by debates, in which he would have had to support the royal prerogative against democratic principles. He preferred the passive course that is suitable to a military man. At a subsequent time he made a courageous sacrifice of this love of popularity, the favourite passion of his soul; but in the time of the Constituent Assembly he lost part of his credit with the deputies, because he made use of it too seldom.

Mirabeau, who was known to be accessible to bribery, had with him personally only those who aimed at sharing the chances of his fortune. But although he had not what can be called a party, he exercised ascendency over all, when he made use of the admirable power of his mind. The men of influence on the popular side, with the exception of a few Jacobins, were Duport, Barnave, and some young men of the court, who had become democrats; men perfectly pure in a pecuniary sense; but very desirous of acting a part of consequence. Duport, a counsellor of parliament, had been during his whole life impressed with the defects of the institution to which he belonged; his profound

knowledge of the jurisprudence of different countries gave him a claim, in that respect, to the confidence of the assembly. Barnave, a young counsellor from Dauphiny, of the greatest merit, was more fitted by his talents than almost any other deputy to figure as a speaker in the English manner. He lost himself with the aristocratic party by one unlucky expression. After the 14th July, great and just indignation was expressed at the death of three victims assassinated in the tumult. Barnave, elated by the triumph of that day, could not hear, with patience, charges which seemed directed against the people at large. In speaking of those who had been massacred, he called out, "Was then their blood so pure?" An unfortunate apostrophe, wholly unsuited to his upright, delicate, and even feeling character: but his career was for ever marred by these reprehensible expressions. All the newspapers, all the speakers on the *côté droit*, stamped them on his forehead, and irritated his pride to such a point, as to make it impossible for him to recant, without humiliation.

The leaders of the *côté gauche*, or left side of the assembly, would have succeeded in introducing the English constitution, if they had formed a union for this purpose with M. Necker,

among the ministers, and with his friends in the assembly. But, in that case, they would have been but secondary agents in the course of events, while they wished to hold the first rank; they consequently committed the great imprudence of seeking support from the assemblages out of doors, which were beginning to prepare a subterraneous explosion. They gained an ascendency in the assembly by ridiculing the *moderates*, as if moderation were weakness, and they the only men of energy. They were seen, both in the halls and in the seats of the deputies, turning into ridicule whoever ventured to assert, that, before their day, there had been such a thing as social order, that writers had been capable of thinking, or that England had possessed any share of liberty. One would have said that they were called to hear an old woman's tale, so impatiently did they listen to it, and so disdainfully did they pronounce certain phrases, extremely exaggerated and emphatic, on the impossibility of admitting an hereditary senate, a senate even for life, an unqualified *veto*, the necessity of holding certain property, in short, any thing that, according to them, infringed on the sovereignty of the people. They carried all the foppery of a court into the cause of democracy, and a number of

deputies of the *Tiers Etat* were at once dazzled by their manners as fine gentlemen, and captivated by their republican doctrine.

These elegant leaders of the popular party aimed at entering into the ministry. They were desirous of pushing matters to the point where their assistance would be necessary; but in this rapid descent the chariot did not stop at the stages they intended. They were by no means conspirators, but they were too confident of their influence with the assembly, and thought themselves capable of reinstating the throne, as soon as they had made it come within their reach: but when they became sincerely disposed to repair the mischief committed, the time was past. How many distresses would have been saved to France if this party of young men had cordially co-operated with the *moderates!* for, before the events of the 6th October (1789), when the King had not been removed from Versailles, and while the army, quartered throughout the different provinces, still preserved some respect for the throne, circumstances were such as to admit of establishing in France a monarchy with limited powers. Ordinary thinkers are in the habit of believing that whatever has taken place was unavoidable: but of what use would be the reason and the liberty

of man, if his will were not able to prevent that which that will has so visibly accomplished.

In the first rank on the popular side was seen the Abbé Sieyes, insulated by his peculiar temper, although surrounded by admirers of his talents. Till the age of forty he had lead a solitary life, reflecting on political questions, and carrying great powers of abstraction into that study; but he was ill qualified to hold communication with other men, so easily was he hurt by their caprices, and so ready was he to irritate them in his turn. But, as he possessed a superior mind, with a keen and laconic manner of expressing himself, it was the fashion in the assembly to show him an almost superstitious respect. Mirabeau had no objection to hear the silence of the Abbé Sieyes extolled above his own eloquence, for rivalship of such a kind is not to be dreaded. People imagined that Sieyes, that mysterious man, possessed secrets in government, from which surprising effects were expected whenever he should reveal them. Some young men, and even some minds of great compass, professed the highest admiration for him; and there was a general disposition to praise him at the expense of every body, because he on no occasion allowed the world to form a complete estimate of him.

One thing, however, was known with certainty—his detestation of the distinctions of nobility; and yet he retained, from his professional habits, an attachment to the clerical order, which he showed in the clearest way possible at the time of the suppression of the tithes. "*They wish to be free, and do not know how to be just*," was his remark on that occasion; and all the faults of the assembly were comprised in these words. But they ought to have been applied equally to those various classes of the community who had a right to pecuniary indemnities. The attachment of the Abbé Sieyes to the clergy would have ruined any other man in the opinion of the popular party; but, in consideration of his hatred to the *noblesse*, the party of the *Mountain* forgave him his partiality to the priests. The Mountain formed the fourth party on the left side of the assembly. Robespierre was already in its ranks, and Jacobinism was preparing itself in the clubs. The leaders of the majority of the *Tiers Etat* were in the habit of ridiculing the extremes of the Jacobins, and of congratulating themselves on the appearance of wisdom, which they could assume when compared with factious conspirators. One would have said that the pretended moderates made the most violent democrats follow them,

as a huntsman leads his pack, with the boast that he knows how to restrain them.

It may naturally be asked what part of the assembly could be called the Orleans party. Perhaps there was no such party; for no one acknowledged the Duke of Orleans as a leader, and he did not at all come forward in that capacity. The court had, in 1788, exiled him for six weeks to one of his estates; it had at times opposed his frequent journeys to England: it is to such contradictions that we are to attribute his irritation. His mind was more actuated by discontent than by projects, more by whims than by real ambition. What gave rise to the notion of an Orleans party, was the idea current at that time among political writers that a deviation from the line of hereditary succession, such as took place in England in 1688, would be favourable to the establishment of liberty, by placing at the head of the constitution a king who should be indebted to it for his throne, instead of one who should look on himself as humiliated by it. But the Duke of Orleans was in all possible points the man the least fitted to act in France the part of William III. in England; and, without taking into the account the respect entertained for Louis XVI., and so well merited by him, the Duke of Orleans was incapable

either of supporting himself, or of proving a support to any one. He had grace and dignity in his manner, with considerable powers in conversation; but the favourable reception he met with, served only to discover his great levity of principle; and, when agitated by the convulsions of the revolution, he found himself without restraint as without power. Mirabeau probed his moral value in several conversations, and became convinced, after the examination, that no political enterprise could be founded on such a character.

The Duke of Orleans voted always with the popular party in the Constituent Assembly, perhaps in a vague expectation of obtaining the highest prize; but this notion never gained consistency in any other head. He lavished money, it is said, to gain the populace; but whether he did so or not, one can have no just conception of the revolution to imagine that money so given could be productive of any influence. A whole people is not to be put in motion by such means. The great error of the adherents of the court always lay in seeking in matters of detail for the cause of the sentiments expressed by the nation at large.

CHAPTER VII.

Of the Errors of the Constituent Assembly in Matters of Administration.

THE whole power of government had fallen into the hands of the Assembly, which by right should have possessed only legislative functions; but the division of parties was the unfortunate cause of confusion in the distribution of power. The distrust excited by the intentions of the King, or rather of the court, prevented him from being invested with the means necessary to re-establish order; and the leaders of the Assembly took no trouble to counteract this distrust, that they might have a pretext for exercising a close inspection on ministers. M. Necker was the natural intermediary between the royal authority and the Assembly. It was well known that he would betray the rights of neither; but the deputies, who continued attached to him notwithstanding his political moderation, believed that the aristocrats imposed on him, and pitied him for being their dupe. This, however, was by no means the case: M.

Necker had as much penetration of mind, as rectitude of conduct, and he perfectly knew that the privileged orders would be less backward in reconciling themselves to any party than to that of the early friends of liberty. But he performed his duty by endeavouring to restore strength to the government, for a free constitution can never be the result of a general relaxation of ties: the probable consequence is, arbitrary power.

The proceedings of the executive power being stopped by several decrees of the assembly, the ministers could do nothing without being authorized by it. The taxes were no longer discharged, because the people imagined that the revolution so joyously welcomed was to bring with it the gratification of paying nothing. Public credit, grounded as it is on still more prudent views than public opinion, although apparently dependent on it, was shaken by the faults committed by the Assembly. That body had much more strength than was necessary to bring the finances into order, and to facilitate the purchase of corn, rendered necessary by the scarcity with which France was again threatened. But it replied with indifference to the reiterated applications of M. Necker on these points, because it did not wish to be considered,

like the old States General, assembled merely for financial purposes; it was to constitutional discussions that it attached the highest interest. So far the Assembly was right; but, by neglecting points in interior administration, it caused disorder throughout the kingdom, and by that disorder all the misfortunes of which it bore itself the pressure.

At a time when France had both famine and bankruptcy to dread, the deputies used to make speeches in which they asserted, that "every man has from nature a right and a wish to enjoy happiness; that society began by the father and the son," with other philosophic truths, much fitter for discussion in books than in the midst of an assembly. But if the people stood in need of bread, the speakers stood in need of applause, and a *scarcity* in that respect would have seemed to them very hard to bear.

The assembly, by a solemn decree, placed the public debt under the safeguard of the honour and loyalty of Frenchmen; but still it took no step to give a substantial effect to these fine effusions. M. Necker proposed a loan, at an interest of five per cent.; the assembly discovered that four and a half was less than five: it reduced the interest accordingly; and the loan

failed, for the plain reason that an assembly cannot, like a minister, possess the tact which shews how far the confidence of capitalists may be carried. Credit, in money matters, is almost as nice as style in literary productions; a single word may disfigure a sentence, as a slight circumstance may overturn a speculation. The matter, it will be said, is in substance the same; but in the one way you captivate the imagination of men, and in the other it escapes from your hold.

M. Necker proposed voluntary gifts, and was the first to pour, by way of example, 100,000 francs of his own fortune into the treasury, although he had been already obliged to dispose of a million of his property in annuities, to meet, by increased income, his expense as minister; for in his second, as in his first ministry, he refused all salary. The constituent assembly praised his disinterestedness, but still declined to take financial matters into its serious consideration. The secret motive of such conduct in the popular party was, perhaps, a wish to find itself forced, by want of money, to a step which it had much at heart, the appropriation of the church lands. M. Necker, on the other hand, wished to make the country independent of this resource, and to let its appropriation depend, not on the

wants of the treasury, but on equitable considerations. Mirabeau, who aimed at succeeding M. Necker as minister, availed himself of the jealousy natural to every assembly in regard to its power, to make it take umbrage at the attachment still shown by the nation to the minister of finance. He had an insidious manner of praising M. Necker. "I do not approve his plans," he used to say; "but since public opinion decrees him the dictatorship, we must take them on trust." M. Necker's friends were aware with how much art Mirabeau sought to deprive him of the public favour, by exhibiting that favour in exaggerated colouring; for nations, like individuals, are apt to fall off in their attachment when they are too often reminded of their affection.

The day when Mirabeau was most eloquent, was that in which, in artfully defending a finance decree proposed by M. Necker, he delineated all the horrors of bankruptcy. Three times did he rise to excite terror by this picture; the provincial deputies were not at first much alive to it; but as they did not then know, what they have been since so severely taught, to what a degree a nation can support bankruptcy, famine, massacre, executions, civil war, foreign war, and tyranny, they shuddered at

the idea of the sufferings portrayed by the orator. I was at a short distance from Mirabeau, when he addressed the assembly with so much *eclat*; and, although very distrustful of his intentions, he captivated my admiration during two hours. Nothing could be more impressive than his voice; the gestures and the biting sarcasm which he knew so well how to use, did not perhaps proceed from the soul, that is, from the inward emotion, but there was in his speech a life and power of which the effect was amazing. "What would it have been had you seen the *prodigy* (*monstre*)," said Garat, in his lively *Journal de Paris*. The remark of Eschines on Demosthenes could not be more happily applied, and the uncertain meaning of the word (*monstre*) which denotes a prodigy, either in good or evil, added not a little to the point.

It would, however, be unjust to see nothing but faults in Mirabeau; with so much true talent, there always is a portion of true feeling. But he had no conscience in politics; and this is the great defect which in France may be often charged on individuals as on assemblies. Some aim at popularity, others at honours, several at fortune; while some, and these are the best, at the adoption of their opinions. But where are those who ask themselves conscientiously in

what their duty consists, without taking account of the sacrifice, whatever it may be, which the performance of that duty may require at their hands?

CHAPTER VIII.

Of the Errors of the National Assembly in regard to the Constitution.

IN the code of liberty we have the means of distinguishing that which is founded on invariable principles, from that which belongs to particular circumstances. Imprescriptible rights consist in—equality in the eye of the law, personal liberty, the liberty of the press, the free exercise of worship, the right of admission to public employments, the grant of taxes by the representatives of the people. But the form of government, whether aristocratic or democratic, monarchical or republican, is but an organization of powers; and powers are themselves nothing but the guarantees of liberty. It does not enter into the natural rights of man, that every government should consist of a house of peers, a house of elected deputies, and of a king, whose sanction forms a part of the legislative power. But human wisdom has not even to our days discovered any form of government which in a

great country gives more security to the blessings of social order.

In the only revolution within our knowledge which was directed to the establishment of a representative government, the order of succession to the throne was changed, because the English nation were persuaded that James II. would not sincerely give up his claims to absolute power, or be satisfied with his constitutional share. The Constituent Assembly did not go the length of deposing so virtuous a sovereign as Louis XVI. and yet it aimed at establishing a free constitution; the result of this was its considering the executive power as inimical to liberty, instead of rendering it one of its safeguards. It formed a constitution, as a general would form a plan of attack. All the mischief proceeded from this fault; for whether the King was or was not resigned in his heart to the restraints required by the interest of the nation, they ought not to have examined his secret thoughts, but have established the power of royalty, independently of what might be feared or hoped from its actual possessor. Institutions, in the course of time, adapt men to themselves with more facility, than men can rid themselves of institutions. To preserve the King, and to strip the office of its necessary

prerogatives, was the most absurd and most reprehensible plan of all.

Mounier, a declared friend of the English constitution, did not hesitate to make himself unpopular by professing that opinion: he declared however in the Assembly, that the fundamental laws of the constitution did not stand in need of the royal sanction, on the broad principle that the constitution was prior to the throne, and that the king existed only by means of it. There must be a compact between king and people, and to deny the existence of such contract would be equally contrary to liberty as to monarchy. But as a kind of fiction is necessary to royalty, the Assembly did wrong in calling the king a public functionary: he is one of the independent powers of the state, participating in the sanction of the fundamental laws, as well as in those of daily enactment. Were he only a simple citizen, he could not be king.

There is in a nation a certain stock of feeling, which should be managed like so much physical power. A republic has its enthusiasm, which Montesquieu calls its principle; a monarchy has also its principle; and even despotism, when, as in Asia, it is a part of the religious creed, is maintained by certain virtues; but a

constitution of which one of the elements is the humiliation of either sovereign or people must necessarily be overturned by the one or the other.

That controlling power of circumstances, which decides so many things in France, prevented the proposition of a House of Peers. M. de Lally, who wished for it, endeavoured to supply it by asking at least a House of Senators holding their places for life; but the popular party was irritated at the privileged orders, who kept themselves perpetually aloof from the nation, and rejected a lasting institution from momentary prejudice. This was a very serious fault, not only because an upper house was a necessary medium between the sovereign and the national deputies, but because there existed no other method of quietly consigning to obscurity the *Noblesse* of the second order, so numerous in France; a *Noblesse* in no way consecrated by history, or recommended by public utility in any shape—and which discovered, much more than its higher brethren, a contempt for the *Tiers Etat*, because its vanity always made it fear its not attaining sufficient distinction.

The right side of the Constituent Assembly, that is, the aristocrats, might have carried the

point of a House of Senators for life, by joining M. de Lally and his party. But they preferred voting for a single chamber instead of two, in the hope of obtaining good by the excess of evil; a detestable calculation, which, however, made converts by its apparent depth. Many men imagine that to deceive is a greater compliment to their capacity than to adhere to truth, because the falsehood is their creation: it is however a vanity very misapplied.

After the cause of the two chambers was lost, the discussions proceeded to the question of the royal sanction to legislative acts. Was the *veto* about to be given to the King to be suspensive or absolute? The word "absolute" resounded in the ears of the vulgar, as if despotism were in question; and we now begin to see the disastrous effect of popular clamour on the decisions of enlightened men. Is is scarcely possible for a reflecting mind to exercise sufficient deliberation to take into view all the questions relative to political institutions; what, then, can be more fatal than to submit such questions to the arguments, and, above all, to the sarcasms of the multitude? They spoke of the *veto* in the streets of Paris, as of a monster that would devour little children. Not that we are to draw from this the inference suggested to some per-

sons by a contempt for their species—that the people are unfit to judge of what relates to their concerns. Governments have on their part given suprising proofs of incapacity; and checks are necessary to authority in every shape.

The popular party desired only a suspensive instead of an absolute *veto:* that is, that the king's refusal to sanction a law should, of itself, fall to the ground in the next assembly, if the same law were again insisted on. The debates grew warm: on one side it was argued that an absolute *veto* on the part of the king would be a bar to all improvements proposed by the assembly: on the other, that the suspensive *veto* would reduce the king, sooner or later, to the necessity of giving way in all points to the representatives of the people. M. Necker, in a memorial in which he treats with uncommon sagacity the most important constitutional questions, pointed out, as a means of accommodation, three stages in legislative progress instead of two; that is, that the king's *veto* should not fall to the ground till after a demand reiterated by the third assembly. His reasoning on this subject was as follows.

In England, he said, the king very seldom makes use of his right to the *veto,* because the House of Peers almost always spares him

that pain; but as it has been unfortunately decided in France that there should be but one chamber, the king and his council find themselves under the necessity of discharging at once the functions of an upper house, and of the executive power. The obligation of making an habitual use of the *veto* implies the necessity of rendering it more flexible, just as we require lighter weapons when obliged to employ them frequently. We may also be assured that by the time of a third legislative assembly, that is, three or four years after the vivacity of the French, on whatever subject, will be always calmed; and, in the contrary event, it is equally certain that if three representative assemblies should successively demand the same thing, the public opinion must be too strong to render it adviseable for the king to oppose it.

It was improper under existing circumstances to irritate the public by the expression "an absolute *veto*," when, in fact, in every country, the royal *veto* gives way, more or less, before the national wish. The pompous nature of the word might be regretted; but the danger of it also was to be dreaded when the King was placed alone in the presence of a single assembly, and when, being deprived of the gradations of rank, he seemed, if I may so say, *tête-a-tête* with

the people, and forced to put incessantly in the balance the will of one man against that of twenty-four millions. Yet M. Necker in a manner protested against this plan of conciliation even in proposing it: for, while showing how the suspensive *veto* was the necessary result of having only one legislative chamber, he repeated that a single chamber was wholly incompatible with any thing sound or permanent.

CHAPTER IX.

Efforts made by M. Necker with the popular Party in the Constituent Assembly, to induce it to establish the English Constitution in France.

THE King possessing no military strength after the revolution of the 14th July, there remained for the minister only the power of persuasion, whether in acting immediately on the deputies, or in finding sufficient support in public opinion, to influence the assembly through that medium. During the two months of tranquility which were still enjoyed between the 14th July, 1789, and the frightful insurrection of the 5th October, the ascendency of the King on the public mind began again to appear. M. Necker recommended to him successively several measures which obtained the approbation of the country.

The suppression of feudal rights, pronounced by the assembly during the night of the 4th August, was presented to the sanction of the Monarch: he gave his assent to it, but addressed

to the deputation of the assembly, observations which obtained the approbation of all prudent people. He blamed the rapidity with which resolutions, of such number and importance, had been embraced; he made them feel the necessity of a reasonable indemnity to the former proprietors of several of the suppressed revenues. The declaration of rights was also offered to the royal sanction, together with several decrees already passed relative to the constitution. M. Necker was of opinion that the King should answer that he could sanction only the whole, not a separate part, of a constitution; and that the general principles of the declaration of rights, though in themselves extremely just, required a special application, that they might be subjected to the ordinary form of decrees. In fact, what signified the royal acquiescence to a deed containing an abstract declaration of natural rights? But there existed for a length of time in France such a habit of introducing the King in every thing, that in truth, the republicans might as well have asked his sanction of a republic.

The establishment of a single chamber, and several other constitutional decrees, which formed a complete deviation from the political system of England, were the cause of great concern to M. Necker, for he saw in this *royal demo-*

cracy, as it was then called, the greatest danger for the throne and for liberty. The spirit of party has only one apprehension: wisdom has always two. We may see, in the different publications of M. Necker, the respect which he had for the English government, and the arguments which he urged when desiring the application of its fundamental principles to France. It was from the popular deputies, at that time all powerful, that he now met with obstacles as great as those he had previously had to combat in the royal cabinet. Whether as minister or as writer, he has always held the same language in this respect.

The argument urged in common by the two parties, the aristocrats and democrats, against the adoption of the English constitution, was that England could do without regular troops, while France, being obliged by her continental position to maintain a great army, liberty would be found unable to resist the preponderance given by that army to the King. The aristocrats did not perceive that this objection turned against themselves; for if the King of France has, from the nature of things, greater compulsory means than the King of England, what inconvenience is there in imposing at least equal limits on his authority?

The arguments of the popular party were more specious, because they supported them even on those of their adversaries. The regular army, they said, ensuring more power to the King of France, than to the King of England, it is indispensable to restrict his prerogative more, if we aim at obtaining as much liberty as is enjoyed by the English. To this objection, M. Necker replied, that in a representative government, that is, one founded on independent elections, and maintained by the liberty of the press, public opinion has always so many means of forming and showing itself, that it may be equivalent to an army: moreover, the establishment of national guards was a sufficient counterpoise to the *esprit de corps* of the regular troops, even if the army (which is by no means probable in a country where the officers would be chosen not in one class exclusively, but agreeably to their merit) should not feel itself a part of the nation, nor take a pride in sharing its sentiments.

The Chamber of Peers was also, as I have already remarked, displeasing to both parties: to the one as reducing the nobility to a hundred or a hundred and fifty families, whose names are known in history; to the other as renewing hereditary institutions, to which a great many

persons in France are extremely hostile, because the privileges and claims of the *noblesse* have deeply wounded the feelings of the whole nation. Yet M. Necker made vain efforts to prove to the Commons, that to change conquering nobles into patrician magistrates, was the only method to accomplish a radical extinction of feudal customs; since nothing is effectually destroyed, for which we do not provide a substitute. He endeavoured also to prove to the democrats, that it was a much better way of proceeding to equality, to raise merit to the first rank, than to make a vain effort to degrade the recollections of history, the power of which is not to be destroyed. These recollections are an ideal treasure, from which advantage may be derived by associating distinguished individuals with their splendour. "We are what your ancestors were," said a brave French General to a nobleman of the old government; hence the necessity of an institution in which the new shoots may blend with the ancient stems:—to establish equality by admixture is a much more effectual mode than by attempts at levelling.

Yet this wise opinion, though conveyed by such a man as M. Necker, perfectly unaffected and candid in his manner of expressing himself, proved unavailing against those passions which

owed their origin to injured pride; and the factious, perceiving that the King, guided by the judicious advice of his minister, was daily regaining a salutary popularity, determined to make him lose this moral influence, after having stripped him of all real power. The hope of a constitutional monarchy was then once more lost for France, at a time when the nation had not yet disgraced itself by great crimes, and while it possessed the esteem both of itself and of Europe.

CHAPTER X.

Did the English Government give Money to foment Troubles in France?

AS the prevailing opinion of French aristocrats has always been that the greatest changes in social order are to be traced to individual circumstances, they were long converts to the notion which had absurdly gained ground, that the English ministry had excited, by means of money, the troubles of the revolution. The Jacobins, the natural enemies of England, found it answer their purpose to please the people, by affirming that *all the mischief arose from English gold distributed in France.* But whoever is capable of a little reflection will not believe, for a moment, the absurdity thus circulated. Could a ministry, subject, like the English, to the scrutinizing eye of the representatives of the people, dispose of a considerable sum of money, without venturing to acknowledge its use to parliament? All the provinces of France, rising at the same time, were without leaders, while the proceedings at Paris had been long before prepared by

the course of events. Besides, would not any government, and particularly the most enlightened one of Europe, have felt the danger of establishing such contagious anarchy in its own neighbourhood? Had not England, and Mr. Pitt in particular, to dread that the revolutionary spark would light on the navy, and among the inferior ranks of society.

The English ministry have often given assistance to the emigrant party; but it was on a plan wholly contrary to that which would have been necessary to excite a spirit of jacobinism. How can we suppose that individuals, extremely respectable in their private character, would have taken into pay, from among the lowest class, men who could not at that time interfere with public affairs, otherwise than by committing theft or murder. Whatever opinion we may have of the diplomatic creed of the English government, can we imagine that the heads of a state who, during fifteen years, made no attempt on the life of a man (Bonaparte), whose existence threatened that of their country, should have stooped to a much greater crime by purchasing assassinations at random? Public opinion in England may be altogether misled in regard to foreign politics; but never, if I may so express myself, in regard to Christian mo-

rality, that is, in respect to actions which are not subjected to the control or excuse of circumstances. Louis XV. generously rejected the Greek fire (*feu Grégeois*), the fatal secret of which was offered to him; the English, in like manner, would never have kindled the desolating flames of jacobinism, had it even been in their power to create that new monster who rose up with devouring fury against social order.

To these arguments, which seem to me clearer than even facts themselves, I will add what my father has often declared to me—that, hearing an incessant rumour about pretended secret agents of England, he made every exertion to find them out; and that all the inquiries of the police, ordered and followed up during his ministry, served to prove that the gold of England had nothing to do with the civil troubles of France. Never has it been practicable to discover the slightest trace of connection between the popular party and the English government: in general, the most violent persons in that party have had no connection with foreigners; and, on the other hand, the English government, far from encouraging democracy in France, has made every effort to repress it.

CHAPTER XI.

Events of the 5th and 6th October, 1789.

BEFORE describing these too disastrous days, we should bring to our recollection that in France, at the time of the revolution, as well as in the rest of Europe, people had enjoyed for nearly a century a kind of tranquillity which conduced, it is true, to relaxation and corruption; but was, at the same time, the cause and effect of very mild manners. Nobody imagined, in 1789, that vehement passions lurked under this apparent tranquillity. The Constituent Assembly accordingly gave itself up without apprehension to the generous wish of ameliorating the lot of the people. They had seen it only in a state of servitude, and they did not suspect what has been since but too well proved—that the violence of revolt being always in proportion to the injustice of slavery, it was necessary to bring about changes in France, with a prudence proportioned to the oppression of the old system.

The aristocrats will say that they foresaw all

our misfortunes; but prophecies, prompted by personal interest, have weight with no one. Let us resume then the sketch of the situation of France before the occurrence of those early crimes from which all the others proceeded.

The general direction of business at court was the same as before the revolution of the 14th July; but the means at the disposal of the royal authority being considerably lessened, the danger of exciting a new insurrection was proportionably augmented. M. Necker was well aware that he did not possess the unreserved confidence of the King, and this lessened his weight with the representatives of the people; but he did not hesitate to sacrifice by degrees all his popularity to the defence of the throne. There are not on earth greater trials for morality than political employments; for the arguments which, in such a situation, may be used to reconcile conscience with interest, are innumerable. The principle, however, from which we ought rarely to deviate, is that of bringing assistance to the weaker party: we seldom err in guiding ourselves by such a landmark.

M. Necker was of opinion that the most perfect sincerity towards the representatives of the

people was the soundest calculation for the King; he advised him to make use of his *veto*, to refuse whatever he deemed fit for rejection; to accept only what he approved; and to ground his resolutions on motives which might gradually operate on public opinion. Already had this system produced a certain degree of good, and, had it been steadily followed, it might have perhaps prevented many misfortunes. But it was so natural for the King to feel irritated at his situation, that he lent too willing an ear to all the projects which accorded with his wishes, and which offered the pretended means of a counter-revolution. It is very difficult for a king, the inheritor of a power which, since Henry IV. had never been disputed, to believe himself without force in the midst of his kingdom; and the devoted attachment of those who surround him easily excite his hopes and illusions. The queen was still more alive to these confident conclusions, and the enthusiasm of the body-guards, and other persons of her court, appeared to her sufficient to repel the popular wave, which pressed forward more and more in proportion to the weakness of the opposing mound.

Marie Antoinette presented herself then, like

Maria Theresa, to the body-guards at Versailles, to recommend to them her august husband and her children. They replied by acclamations to an appeal which, in truth, could not fail to affect them to the bottom of their souls; but this was quite enough to excite the suspicions of that crowd of men, whose minds were heated by the new prospects opened to them by the state of affairs. It was repeated at Paris, among all classes, that the King wished to leave the country; and that he was desirous of making a second attempt to dissolve the assembly. The Monarch thus found himself in a most dangerous situation: he had excited disquietudes as if he had been strong, while, in fact, he was deprived of all means of defending himself.

The rumour spread that two hundred thousand men were preparing to march to Versailles, to bring the King and the national assembly to Paris. "They are surrounded," it was said, "by enemies to the public welfare; we must bring them amongst the true patriots." No sooner is a tolerably plausible expression invented in a time of trouble, than party men, and particularly Frenchmen, find a singular pleasure in repeating it. The arguments that

might be opposed to it have no power on their minds; for their great object is to think and speak like others, that they may make sure of their applause.

I was apprized on the morning of the 5th October that the populace were marching to Versailles: my father and mother had their residence there. I immediately set out to join them, but went by a retired road, on which I met nobody. On drawing near to Versailles I saw the huntsmen who had accompanied the King to the chase, and, on arriving, I was told that an express had been dispatched to intreat him to come back. How strange is the power of habit in a court life! The King still did the same things, in the same manner, and at the same hours, as in the most tranquil times: the composure of mind which this implied procured him admiration, at a time when circumstances allowed him no other virtues than those of a victim. M. Necker proceeded very quickly to the palace, to be present at the council; and my mother, more and more frightened by the threatening intelligence received from Paris, repaired to the hall which served as an antichamber to the council-room, that she might share my father's fate whatever it might be. I followed

her, and found the hall filled with a great number of persons, brought thither by very different sentiments.

We saw Mounier pass through to require, in his capacity of president of the Constituent Assembly, but much against his will, the unqualified sanction of the King to the declaration of rights. The King had, if I may so express myself, made a literal admission of its maxims; but he waited, he said, for their application, that he might affix his consent. The assembly revolted against this slight obstacle to its will; for nothing is so violent in France as the anger which is felt towards those who presume to resist without being the strongest.

Every one in the hall where we were assembled, asked whether the King would set out or not. We were first told that he had ordered his carriages, and that the people of Versailles had unharnessed them; afterwards that he had given orders to the regiment of Flanders, then in garrison at Versailles, to take arms, and that that regiment had refused. It has since been ascertained that the council took into deliberation whether the King should withdraw into the country; but, as the royal treasury was empty, as the scarcity of corn was such that no assem-

blage of troops could be effected, and as no measures had been taken to make sure of the regiments on which reliance was still placed, the King apprehended the greatest eventual hazards from going to a distance; he was, moreover, persuaded that, if he left the country, the Assembly would give the crown to the Duke of Orleans. But the Assembly had no such idea even at this time; and when the King consented, eighteen months after, to the journey which ended at Varennes, he had an opportunity of seeing that he had no ground for apprehension in that respect. M. Necker was not of opinion that the court should set out without such aid as might ensure the success of that decisive step; but he offered to the King to follow him, if he determined on it; being ready to devote to him his fortune and his life, although perfectly aware of what his situation would be in adhering to his principles in the midst of courtiers who, in politics as in religion, have only one feeling—intolerance.

The King having eventually fallen at Paris under the sword of the factious, it is natural for those who advised his departure on the 5th October to make a boast of it; for we may always say what we think proper of the good effects of an advice that has not been followed.

But, besides that it was perhaps already impracticable for the King to quit Versailles, we must not forget that M. Necker, in admitting the necessity of coming to Paris, proposed that the King should thenceforward go hand in hand with the constitution, and seek support in it only: without that determination he would be exposed, do what he might, to the greatest misfortunes.

The King, in deciding on remaining, might still take the alternative of putting himself at the head of his body guards, and of repelling force by force. But Louis XVI. felt a religious scruple at exposing the lives of Frenchmen for his personal defence; and that courage, which no person could doubt who witnessed his death, never prompted him to any spontaneous resolution. Besides, at this time, even success would not have accomplished his safety; the public mind was in the spirit of the Revolution, and it is by studying the course of things, that we succeed in foreseeing (as much as foresight is granted to the human mind) the events which the vulgar represent as the result of chance, or of the inconsiderate actions of a few individuals. The King then decided on awaiting the Parisian army, or rather multitude, which had already begun its march; and every eye was

turned towards the road that fronts the windows of the palace at Versailles. We thought that the cannon might first be pointed against us, which occasioned us much alarm; yet not one woman thought of withdrawing in this great emergency.

While this mass was on its march towards us, we were informed of the arrival of M. de la Fayette, at the head of the national guards, and this was, no doubt, a ground of tranquillity. But he had long resisted the wish of the national guard, and it was only by an express order of the *Commune* of Paris that he had marched to prevent, by his presence, the misfortunes that were threatened. Night was coming on, and our dread was increased with the darkness, when we saw M. de Chinon, who, as Duke of Richelieu, has since so justly acquired a high reputation, enter the palace. He was pale, fatigued, and in his dress like a man of the lower orders: it was the first time that such apparel entered the royal abode, and that a nobleman of the rank of M. de Chinon found himself obliged to put it on. He had walked part of the way from Paris to Versailles, mixed with the crowd, that he might hear their conversation; and he had left them half-way, to arrive in time to give notice to the royal family of what was going on. What a

recital did he give! women and children, armed with pikes and scythes, hastened from all parts. The lowest of the populace were brutalized still more by intoxication than by rage. In the midst of this infernal band, there were men who boasted of having got the name of "headsmen" (*coupe-têtes*), and who promised to make good their title to it. The national guard marched with order, was obedient to its commander, and expressed no wish, but that of bringing the King and the assembly to Paris. At last M. de la Fayette entered the palace, and crossed the hall where we were, to go in to the King. Every one surrounded him with ardour, as if he had been the master of events, while the popular party was already stronger than its leader; principles were now giving way to factions, or rather were used by them only as pretexts.

M. de la Fayette seemed perfectly calm; he has never been seen otherwise, but his delicacy suffered by the importance of the part he had to act; to ensure the safety of the palace he desired to occupy the posts of the interior: the exterior posts only were given to him. This refusal was natural, as the body guards ought not to be removed; but it had almost been the cause of the greatest misfortunes. M. de la

Fayette left the palace, giving us the most tranquillizing assurances: we all went home after midnight, thinking that the crisis of the day was over, and believing ourselves in perfect security, as is almost always the case after one has experienced a great fright, which has not been realized. At five in the morning M. de la Fayette thought that all danger was over, and relied on the body guards, who had answered for the interior of the palace. A passage which they had forgotten to shut enabled the assassins to get in. A similar accident proved favourable to two conspiracies in Russia, at times when vigilance was at its height, and when outward circumstances were most tranquil. It is therefore absurd to censure M. de la Fayette for an event that was so unlikely to occur. No sooner was he apprized of it than he rushed forward to the assistance of those who were threatened, with an ardour which was acknowledged at the moment, before calumny had prepared her poison.

On the 6th October, at a very early hour, a lady far advanced in years, the mother of Comte de Choiseul-Gouffier, author of the delightful Travels in Greece, entered my room: she came in a panic to seek refuge among us, although we had never had the honour of seeing her.

She informed me that assassins had made their way even to the Queen's antichamber, that they had massacred several of her guards at the door, and that, awakened by their cries, the Queen had saved her life only by flying into the King's room by a private passage. I was told at the same moment that my father had already set out for the palace, and that my mother was about to follow him; I made haste to accompany her.

A long passage led from the *controle general*, where we lived, to the palace: as we approached we heard musket-shots in the courts, and as we crossed the gallery, we saw recent marks of blood on the floor. In the next hall the body guards were embracing the national guards, with that warmth which is always inspired by emotion in great emergencies; they were exchanging their distinctive marks, the national guards putting on the belt of the body guards, and the body guards the tricoloured cockade. All were then exclaiming with transport, *Vive la Fayette*, because he had saved the lives of the body guards, when threatened by the populace. We passed amidst these brave men who had just seen their comrades perish, and were expecting the same fate. Their emotion restrained, though visible, drew tears from the

spectators; but, further on, what a scene presented itself!

The people demanded with great clamour that the King and royal family should remove to Paris; an answer in assent had been given on their part, and the cries, and the firing which we heard, were signs of rejoicing from the Parisian troops. The Queen then appeared in the hall; her hair dishevelled, her countenance pale, but dignified; every thing in her person was striking to the imagination. The people required that she should appear on the balcony, and, as the whole court, which is called the marble court, was full of men with fire-arms in their hands, the Queen's countenance discovered her apprehensions. Yet she advanced without hesitation along with her two children, who served as her safeguard.

The multitude seemed affected on seeing the Queen, as a mother, and political rage became appeased at the sight: those, who that very night had perhaps wished to assassinate her, extolled her name to the skies.

The populace, in a state of insurrection, are, in general, inaccessible to reasoning, and are to be acted on only by sensations rapid as electricity, and communicated in a similar manner. Mobs are, according to circumstances, better

or worse than the individuals which compose them; but, whatever be their temper, they are to be prompted to crime as to virtue, only by having recourse to a natural impulsion.

The Queen, on returning from the balcony, approached my mother, and said to her, with stifled sobs, "They are going to force the King and me to proceed to Paris, with the heads of our body guards carried before us, on the point of their pikes." Her prediction was accomplished, nearly as she had said: the King and Queen were taken to their capital. We went to Paris by a different road, which spared us that dreadful sight. It was through the *Bois de Boulogne* that we went, and the weather was uncommonly fine; the breeze scarcely agitated the trees, and the sun was sufficiently bright to leave nothing gloomy in the prospect: no outward object was in correspondence with our grief. How often does this contrast, between the beauty of nature and the sufferings inflicted by man, renew itself in the course of life!

The King repaired to the *Hotel de Ville*, and the Queen displayed there a remarkable presence of mind. The King said to the Mayor: "I come with pleasure to my good city of Paris;" the Queen added, "and with confidence." The expression was happy, but the event, alas! did

not justify it. Next day the Queen received the diplomatic body, and the persons of her court: she could not give vent to one word without sobbing, and we, likewise, were unable to reply to her.

What a spectacle was this ancient palace of the Tuilleries, abandoned for more than a century by its august inhabitants! The antiquated appearance of the outward objects acted on the imagination, and made it wander into past times. As the arrival of the royal family was, in no degree, expected, very few apartments were in a habitable state, and the Queen had been obliged to get tent beds put up for her children in the very room where she received us: she apologized for it, and added, "You know that I did not expect to come here." Her physiognomy was beautiful, but irritated; it was not to be forgotten after having been seen.

Madame Elizabeth, the King's sister, appeared at once calm as to her own fate, and agitated for that of her brother and sister-in-law. She manifested her courage by her religious resignation; this virtue which suffices not always for a man, is heroism in a woman.

CHAPTER XII.

The Constituent Assembly at Paris.

THE Constituent Assembly, removed to Paris by an armed force, found itself, in several respects, in the same situation as the King: it no longer enjoyed complete liberty. The 5th and 6th October were, if one may say so, the first days of the accession of the Jacobins; the Revolution then changed its object and its sphere; equality, not liberty, was henceforth its mark, and the lower order of society began from that day to assume an ascendency over that class which from its knowledge is formed to govern. Mounier and Lally abandoned the Assembly and France. A just indignation made them commit this error; the result was, that the moderate party were without strength. The virtuous Malouet, and an orator at once brilliant and serious, M. de Clermont Tonnerre, endeavoured to support it; but there were henceforth few debates except between the extremes of opinion.

The Constituent Assembly had been mistress

of the fate of France from the 14th July to the 5th October, 1789; but, from the latter date forward, popular force was predominant. We cannot too often repeat that for individuals, as for political bodies, there is but one moment of happiness and power; that moment should be embraced, for the tide of prosperity is seldom twice at flood in the course of the same destiny, and he who has not turned it to account, receives in the sequel only the gloomy lesson of adversity. The Revolution naturally descended lower and lower each time that the upper classes allowed the reins to slip from their hands, whether by their want of wisdom or their want of address.

The rumour was circulated that Mirabeau and some other deputies were about to be appointed ministers. Those of the *Mountain*, who were well assured that the choice would not fall on them, proposed to declare the functions of deputy and minister incompatible, an absurd decree, which transformed the balance of power into mutual hostility. Mirabeau, on this occasion, proposed very ingeniously that they should confine the exclusion from ministerial employment to him by name, in order that the personal injustice of which he was, as he said, the object, might not lead to the adoption of a

measure at variance with the public welfare. He required that the ministers should at least be present at the deliberations of the Assembly, if, in contradiction to his opinion, they were prevented from being members of it. The Jacobins exclaimed, that the presence of ministers would be enough to influence the opinion of the representatives, and assertions of this nature never failed to be received with peals of applause by the galleries. One would have said that nobody in France could look at a man of consequence, that no member of the *Tiers Etat* could approach a person belonging to the court, without feeling himself in subjection. Such are the melancholy effects of arbitrary government, and of too exclusive distinctions of rank! The animadversions of the lower orders on the aristocratic body have not the effect of destroying its ascendency, even over those by whom it is hated; the inferior classes, in the sequel, inflicted death on their former masters, as the only method of ceasing to obey them.

The minority of the *noblesse*, that is, those who had gone over to the popular party, were infinitely superior, in purity of sentiment, to the extravagant part of the deputies of the *Tiers Etat*. These noblemen were disinterested in

the cause which they supported; and, what is still more honourable, they preferred the generous principles of liberty to the personal advantages which they enjoyed. In all countries where aristocracy prevails, that which lowers the nation gives a proportional elevation to certain individuals, who unite the habits of high rank to the information acquired by study and reflection. But it costs too dear to limit the range of so many men, in order that a minority of the *noblesse*, such as MM. de Clermont-Tonnerre, de Crillon, de Castellane, de la Rochefoucauld, de Toulongeon, de la Fayette, de Montmorency, &c. should be considered the flower of France; for, in spite of their virtues and talents, they found themselves without strength, on account of the smallness of their number. From the time that the Assembly held its sittings at Paris, the people exercised their tumultuous power in all directions; clubs began to be established; the denunciations of the journals, the vociferations from the tribunes, misled the public mind; fear was the gloomy muse of most of the speakers, and every day new modes of reasoning and new forms of oratory were invented to obtain the applause of the multitude. The Duke of Orleans was accused of having tampered in the conspiracy of the 6th

October. The tribunal directed to examine the documents relative to the charge, discovered no proofs against him; but M. de la Fayette could not bear the idea that even popular violence should be attributed to any thing that could be called a conspiracy. He required of the Duke to go to England; and that prince, whose deplorable weakness admits of no qualification, accepted without resistance a mission which was a mere pretext to remove him. After this singular act of condescension, I do not believe that even the Jacobins ever had a notion that such a man was capable of at all influencing the fate of France: the virtues of his family make it incumbent on us to mention him no more.

The country participated in the agitation of the capital, and a zeal for equality put France in motion, in the same way as hatred of popery kindled the passions of the English in the seventeenth century. The Constituent Assembly was beaten by the waves in the midst of which it seemed to hold its course. The most conspicuous man among the deputies, Mirabeau, now, for the first time, inspired some esteem; and one could not avoid a sentiment of pity at the constraint imposed on his natural superiority. He was seen incessantly taking in the same speech the side of popularity and that

of reason; endeavouring to obtain from the Assembly a monarchical decree in the language of a demagogue, and often venting sarcasms against the royalist party at the very time that he laboured at the adoption of some of their opinions;—in short, one saw clearly that he kept up a continued struggle between his judgment and his want of popularity. He received money in secret from the ministers for defending the interests of the throne: yet, after he rose to speak, he often forgot the engagements he had taken, and yielded to those peals of applause of which the fascination is almost irresistible. Had he been a conscientious character, he possessed perhaps talents enough to create in the Assembly a party independent of the court and people; but his genius was too much warped by personal interest to allow him its free use. His passions, like the serpents of Laocoon, enveloped him in all directions, and we witnessed his strength in the struggle, without venturing to expect his triumph.

CHAPTER XIII.

Of the Decrees of the Constituent Assembly in regard to the Clergy.

THE most serious reproach to which the Constituent Assembly is liable, is its having been indifferent to the maintenance of religion in France: hence the declarations against philosophy, which succeeded those formerly directed against superstition. The intentions of the Assembly in this respect are to be justified by examining the motives of its decrees. The privileged classes in France embraced a mode of defence common to the majority of mankind, that of attaching a general idea to their particular interests. It was thus the nobility maintained that valour was the exclusive inheritance of their order; and the clergy, that religion could not subsist without the possession of property by the church. Both assertions are equally unfounded: battles have been admirably fought in England, and in France since the fall of the nobility as a body; while religion would find its way into the hearts of the French, if attempts

were not incessantly made to confound the articles of faith with political questions, and the wealth of the upper clergy with the simple and natural ascendency of the curates over the lower orders.

The clergy in France formed a part of the four legislative powers; and from the time that it was judged necessary to change this singular constitution, it became impossible that a third of the landed property of the kingdom should remain in the hands of ecclesiastics: for it was, to the clergy, as an order, that these great possessions belonged, and they were administered collectively. The property of priests and religious establishments could not be subjected to those civil laws which ensure the inheritance of parents to children; from the moment, therefore, that the constitution of the country underwent a change, it would have been imprudent to leave the clergy in possession of wealth, which might enable them to regain the political influence of which it was intended to deprive them. Justice required that the possessors should be maintained in their incomes during life; but what was due to those who had not yet become priests, especially when the number of ecclesiastics greatly surpassed what the public service required? Will it be alleged that we never

ought to change what *once has been?* In what moment then did the famous "*once has been,*" become established for ever? When did improvement become impossible?

Since the destruction of the Albigenses by fire and sword, since the torturing of the Protestants under Francis I., the massacre of St. Bartholomew, the revocation of the edict of Nantes, and the war of the Cevennes, the French clergy have always preached, and still preach intolerance. The free exercise of worship then could not accord with the opinions of the priests, who protest against it, if they were allowed to retain a political existence; or, if the magnitude of their property placed them in a condition to regain that political existence the loss of which they will never cease to regret. The church does not become tolerant any more than the emigrants become enlightened; our institutions should be adapted to this.

What! it will still be said, is not the church of England possessed of property? The English clergy, being of the reformed faith, were on the side of political reform at the time when the last of the Stuarts wished to re-establish the Catholic religion in England. The case is not the same with the French clergy, who are naturally inimical to the principles of the revo-

lution. Besides, the English clergy have no influence in state affairs; they are much less wealthy than the old clerical body of France, as England contains neither convents, abbeys, nor any thing of the kind. The English clergy marry, and thus become a part of society. Finally, the French clergy hesitated long between the authority of the Pope and that of the King; and when Bossuet supported what is called the liberties of the Gallican church, he concluded, in his "*Politique sacrée*," an alliance between the altar and the throne; but he did so by founding it on the maxims of religious intolerance and royal despotism.

When the French clergy quitted a life of retirement to intermeddle with politics, their conduct in the latter was almost always marked by a degree of confidence and artifice very unfavourable to the public interest. The dexterity which distinguishes men early obliged to conciliate two opposite things, their profession and the world, is such, that for two centuries past, they have constantly insinuated themselves into public business, and France has almost always had cardinals or bishops for ministers. The English, notwithstanding the liberal principles which actuate their clergy, do not admit ecclesiastics of the second order into

the House of Commons; and there is no example, since the Reformation, of a member of the higher clergy becoming a minister of state. The case was the same at Genoa, in a country altogether catholic; and both government and the priesthood found their advantage in this prudent separation.

In what manner would the representative system be compatible with the doctrine, the habits, and the wealth of the French clergy, such as that body formerly was? A striking analogy naturally induced the Constituent Assembly no longer to acknowledge it as entitled to hold property. The kings possessed demesnes considered in former days as unalienable, and these properties were certainly as legitimate as any other paternal inheritance. Yet, in France, as in England, and in every country where constitutional principles are established, kings have a civil list; and it would be considered disastrous to liberty that they should be enabled to possess revenues independent of the national sanction. For what reason then should the clergy be better treated in this respect than the crown? Might not the magistracy lay claim to property with more reason than the clergy, if the object of supporting them by an established land revenue be to ex-

empt those who enjoy it from the ascendency of government.

What signify, it will be said, the advantages or disadvantages of clerical property? the Assembly had not a right to take it. This question is exhausted by the excellent speeches pronounced on the subject in the Constituent Assembly: it was there shown that corporate bodies (*corps*) did not hold property by the same title as individuals, and that the country could not maintain the existence of these bodies, but in as far as they should not be in contradiction to public interest and constitutional laws. When the Reformation was established in Germany, the Protestant princes appropriated a share of the church property either to the public expenditure, or to charitable establishments; and a number of catholic princes have, on various other occasions, made a similar disposal of such property. The decrees of the Constituent Assembly, sanctioned by the King, ought, certainly, to have as much force in law, as the will of sovereigns in the sixteenth and following centuries.

The kings of France used to receive the revenues of clerical benefices during the intervals that they were vacant. The religious orders, who in this question are to be distinguished

from the secular clergy, have often ceased to exist; and one cannot conceive, as was said by one of the most ingenious speakers whom we heard in the last session of the Chambers, M. de Barante: "One cannot conceive in what manner the property of orders that are no more should belong to those who do not exist." Three fourths of the property of churchmen were given them by the Crown, that is, by the sovereign authority of the time; not as a personal favour, but to ensure divine service. For what reason then should not the States General, in conjunction with the King, have had a right to alter the manner of providing for the support of the clergy?

But particular founders, it will be said, having bequeathed their property to ecclesiastics, was it lawful to divert it from this appropriation? What means does man possess to give the stamp of eternity to his resolutions? Are we to search in the darkness of time for titles that are no more, in order to oppose them to living reason? What connection is there between religion and that continued chicanery, of which the sale of the national property is the object? In England particular sects, and, above all, the Methodists, who are very numerous, provide regularly and spontaneously for the expenses of their

worship. True, it will be said, but the Methodists are very religious, and the inhabitants of France would make no pecuniary sacrifice for their priests. Is not this neglect produced entirely by the display of wealth in the church, and of the abuses which wealth brings along with it? The case is the same with religion as with government: when you endeavour to maintain by force what is no longer in consonance with the age, you deprave the human heart instead of improving it. Do not deceive the weak; neither irritate another class of weak men, the Free Thinkers, by rousing political passions against religion; separate entirely the one from the other, and solitary reflection will always lead to dignified thoughts.

A great error, and one which it seemed easier for the Constituent Assembly to avoid, was the unfortunate invention of a constitutional clergy. To exact from ecclesiastics an oath at variance with their conscience, and, on their refusing it, to persecute them by the loss of a pension, and afterwards even by transportation, was to degrade those who took the oath, to which temporal advantages were attached.

The Constituent Assembly ought not to have thought of forming a clerical body devoted to it, and thus affording the means, which were af-

terwards embraced, of distressing the ecclesiastics attached to their ancient creed. This was putting political in the place of religious intolerance. A single resolution, firm and just, ought to have been taken by a legislature thus situated; they ought to have imposed on each communion the duty of supporting their own clergy. The Constituent Assembly thought that it acted with greater political depth by dividing the clergy, by establishing a schism, and by thus detaching from the court of Rome those who should enrol themselves under the banners of the Revolution. But of what use were such priests? The Catholics would not listen to them, and philosophers did not want them: they were a kind of militia, who had lost their character beforehand, and who could not do otherwise than injure the government whom they supported. The establishment of a constitutional clergy was so revolting to the public mind, that it was found necessary to employ force to give it effect. Three bishops were necessary to give consecration to the schismatics, and thus to communicate to them the power of ordaining other priests in their turn. Of these three bishops, on whom the founding of the new clergy depended, two were, at the last moment, ready to renounce their singular undertaking, con-

demned as it was equally by religion and philosophy.

We cannot too often repeat that it is necessary to act on all great ideas with sincerity, and to be careful how we admit machiavelian combinations in the application of truth; for prejudices founded on time have more strength than reason herself, from the moment that bad means are employed to establish the latter. It was likewise of importance in the contest still subsisting between the privileged classes and the people, never to put the partizans of the old institutions in a situation calculated to inspire any kind of pity; and the Constituent Assembly excited this feeling in favour of the priests from the time it deprived them of their life-hold estates, and thus gave a retroactive effect to the law. Never can the world disregard those who are in a state of suffering; human nature is, in this respect, better than it is thought.

But who, it may be said, will teach children religion and morality if there are no priests in the schools? It was certainly not the higher clergy who fulfilled this duty; and, as to the curates, they are more required for the care of the sick and the dying than even for education, excepting what regards a knowledge of religion: the time in which churchmen were superior to

others in point of information is past. Establish and multiply the schools in which, as in England, the children of the poor are taught to read, write, and account: schools of a higher class are necessary for teaching the ancient languages, and Universities for carrying still further the study of those beautiful languages and of the higher sciences. But it is political institutions that afford the most effectual means of laying the foundation of morals; they excite emulation, and form dignity of character: we cannot teach a man that which he can learn only through himself. The English are not told in any catechism that they must love their constitution; there is no master for patriotism in the schools: public prosperity and domestic life are more effectual in inspiring religion, than all that remains of the ancient customs intended for its maintenance.

CHAPTER XIV.

Of the Suppression of Titles of Nobility.

THE clergy are perhaps still the less unpopular of the two privileged orders in France; for equality being the moving principle of the revolution, the nation felt itself less hurt by the prejudices of the priests than by the claims of the *noblesse*. Yet we cannot too often repeat that nothing is more unfortunate than the political influence of ecclesiastics in a country, while hereditary magistracy, of which the recollections of birth constitute a part, is an indispensable element in every limited government. But the hatred of the people towards men of family having burst forth in the earliest days of the revolution, the minority of the *noblesse* in the Constituent Assembly wished to destroy this germ of enmity, and to form a complete union with the nation. One evening then, in a moment of heat, a member proposed the abolition of all titles. No nobleman, of those who had joined the popular party, could refuse to support this, without showing ridiculous vanity;

yet it would have been very desirable that the former titles should not have been suppressed, without being replaced by a peerage, and by the distinctions which emanate from it. A great English civilian has said, with truth, that "whenever there exists in a country any principle of life whatever, a legislature ought to take advantage of it." In fact, since nothing is so difficult as to create, it is generally found necessary to engraft one institution on another.

The Constituent Assembly treated France like a colony, in which there was no "past;" but wherever "a past" has existed, it is impossible to prevent it from having influence. The French nation was tired of the second order of *noblesse*, but it had, and always will have, respect for the families distinguished in history. It was this feeling which ought to have been turned to account in establishing an upper house, and endeavouring by degrees to consign to disuse all those denominations of Counts and Marquisses, which, when they are connected neither with recollection of the past, nor with political employments, sound more like nick-names than titles.

One of the most singular propositions of this day was, that of renouncing the names of estates, which many families had borne for ages, and

obliging them to resume their patronymic appellations. In this way the *Montmorencies* would have been called *Bouchard; La Fayette, Mottié; Mirabeau, Riquetti.* This would have been stripping France of her history; and no man, how democratic soever, either would or ought to renounce in this manner the memory of his ancestors. The day after this decree was passed, the newspaper writers printed in their accounts of the sittings *Riquetti* the elder, instead of *Comte de Mirabeau:* he went up in a rage to the reporters who were taking notes of the debates in the Assembly, and said to them, "You have by your *Riquetti* put Europe out of its reckoning for three days." This effusion encouraged every one to resume the name borne by his father; a course that could not be prevented without resorting to an inquisition, quite contrary to the principles of the Assembly, for we should always remember that it never made use of the expedients of despotism to establish liberty.

M. Necker, alone among the members of council, proposed to the King to refuse his sanction to the decree which put an end to nobility, without establishing a patrician body in its stead; and his opinion not having been adopted, he had the courage to publish it. The

King had determined on sanctioning indiscriminately all the decrees of the Assembly: his plan was to cause himself to be considered, after the 6th October, as in a state of captivity; and it was only in compliance with his religious scruples, that he did not in the sequel affix his name to the decrees which proscribed those of the priests who continued to acknowledge the power of the Pope.

M. Necker, on the other hand, was desirous that the King should make a sincere and steady use of his prerogative; he represented to him, that if he should one day recover all his power, he would still have the means of declaring that he had been in a state of imprisonment since his arrival at Paris; but that if he should not recover it, he was losing the respect of, and above all his influence with, the nation, by not making use of his *veto* to stop the inconsiderate decrees of the Assembly; decrees, of which that body often repented when the fever of popularity was moderated. The important object for the French nation, as for every nation in the world, is that merit, talent, and services, should be the means of rising to the first employments of the state. But to aim at organizing France on the principles of abstract equality, was to deprive the country of that source of emulation so congenial

to the French character, that Napoleon, who applied it in his own way, found it a most effectual instrument of his arbitrary sway. The memorial published by M. Necker, in the summer of 1790, at the time of the suppression of titles, was closed by the following reflections.

" In following all the marks of distinction in their smallest details, we, perhaps, run the risk of misleading the people as to the true meaning of the word equality, which can never signify, in a civilized nation, and in a society already established, equality of rank or property. Diversity in situation and employment, difference in fortune, education, emulation, industry; gradations in point of talents and information, all the disparities that are productive of movement in the social body, necessarily involve an outward inequality; and the only object of the legislator is, in imitation of nature, to point them all towards a happiness that may be equal, though different in its forms and developement.

" Every thing is united, every thing is linked together in the vast extent of social combinations; and those kinds of superiority which, to the first glance of a philosophic eye, appear an abuse, are essentially useful in affording protection to the different laws of subordination; to those laws which it is so necessary to defend,

and which might be attacked so powerfully, if habit and imagination should ever cease to afford them support."

I shall have occasion in the sequel to remark that, in the different works published by M. Necker, during the course of twenty years, he invariably predicted the events which afterwards occurred: so much penetration was there in his sagacity. The reign of Jacobinism was principally caused by the wild intoxication of a certain kind of equality; it appears to me that M. Necker described this danger when he wrote the remarks which I have just quoted.

CHAPTER XV.

Of the Royal Authority as it was established by the Constituent Assembly.

IT was already a very dangerous matter for the public tranquillity to break all at once the strength that resided in the two privileged orders of the state. But had the means given to the executive power been sufficient, it would have been practicable to replace, if I may so express myself, fictitious by real institutions. But the Assembly, always distrustful of the intentions of the courtiers, pointed the executive authority against the King, instead of moulding it into the form proper for the public good. Government was shackled to such a degree that its agents, though responsible for every thing, could act in nothing. The ministry had scarcely a messenger at their disposal; and M. Necker, in his examination of the constitution of 1791, has shown, that in no republic, including even the petty Swiss cantons, was the executive power so limited in its constitutional action, as the King of France. The apparent splendour and

actual inefficiency of the Crown, threw the ministers, and the King himself, into a state of anxiety that was perpetually increasing. It is certainly not necessary that a population of twenty-five millions should exist for one man; but it is equally unnecessary that one man should be miserable even under the pretext of giving happiness to twenty-five millions; for injustice of any kind, whether it reaches the throne or the cottage, prevents the possibility of a free, that is, of an equitable government.

A prince who would not content himself with the power granted to the King of England, would not be worthy of reigning; but, in the French constitution, the situation of the King and his ministers was insupportable. The country suffered from it still more than the sovereign; and yet the Assembly would neither remove the King from the throne, nor renounce its temporary mistrust, at the time that the formation of a durable system was under discussion.

The eminent men of the popular party, unable to extricate themselves from this uncertainty, always mixed in their decrees a portion of evil with good. The establishment of provincial assemblies had long been desired; but the Constituent Assembly combined them in

such a manner as to exclude the ministers altogether from this portion of the administration. A salutary dread of those wars so often undertaken for the quarrels of kings, had guided the Constituent Assembly in the mode of organizing the military force; but it had put so many obstacles to the influence of the executive power in this respect, that the army would have been unfit to serve out of the country, so apprehensive were they of its becoming instrumental to oppression at home. The reform of criminal jurisprudence, and the establishment of juries brought down blessings on the name of the Constituent Assembly; but it decreed that the judges should owe their appointment to the people instead of the King, and that they should be re-elected every three years. Yet the example of England, and the dictates of enlightened reflection, concur to show that judges, under whatever government, ought not to be removeable, and that in a monarchical state it is fit that their nomination should belong to the Crown. The people are much less capable of appreciating the qualities necessary for a judge, than those necessary for a representative: ostensible merit and extensive information ought to point out to the eyes of all a fit representative, but length of study alone qualifies a man for the

duties of the bench. Above all, it is important that judges should be subject neither to removal by the king, nor to re-appointment or rejection by the people. If, from the first days of the revolution, all parties had agreed to show invariable respect to judicial forms, from how many misfortunes would France have been preserved! For it is for extraordinary cases above all, that ordinary tribunals are established.

One would almost say that justice among us is like a good housewife, who is employed in domestic matters on working days, but who must not be brought forward on solemn occasions; and yet it is on occasions when passion is most excited, that the impartiality of law becomes more necessary than ever.

On the 4th February, 1790, the King had repaired to the Assembly to give, in a very well composed discourse, at which M. Necker had laboured, his sanction to the principal laws already decreed by the Assembly. But in this same discourse the King dwelt with energy on the unhappy state of the kingdom, on the necessity of improving and finishing the constitution. Such a course was indispensable, because the secret advisers of the King, representing him always as in captivity, made the popular party distrustful of his intentions. No-

thing was less suitable to so moral a character as Louis XVI. than a presumed state of continual fallacy; the pretended advantages of such a system were destructive of the real strength of virtue.

CHAPTER XVI.

Federation of 14th July, 1790.

NOTWITHSTANDING the faults which we have pointed out, the Constituent Assembly had produced so much good, and triumphed over so many misfortunes, that it was adored by almost all France. The deficiencies in the work of the constitution were perceptible only to those intimately acquainted with the principles of political legislation, and liberty was actually enjoyed, although the precautions taken for its maintenance were not well combined. The career opened to talents of every kind excited general emulation; the discussions of an Assembly distinguished for talent, the varied movement of the liberty of the press, the publicity given to every matter of importance, delivered from bondage the mind of Frenchmen, their patriotism, in short, all those energetic qualities, the results of which we have since seen sometimes marked with cruelty, but always gigantic. It was like an individual who respired more freely, whose lungs contained a

larger portion of air; the indefinite hope of happiness without alloy had taken possession of the nation in its strength, as it takes possession of a man in youth, when under the influence of illusion, and devoid of foresight.

The chief uneasiness of the Constituent Assembly arising from the danger to which a standing force might one day expose liberty, it was natural for it to endeavour, by every method, to gain the national militia, considering it with truth as an armed force of citizens: besides, the Assembly was so sure of public opinion in 1790 that it took a pleasure in surrounding itself with native military. A standing army is altogether a modern invention, the real object of which is to put into the hands of kings a power independent of their people. It was from the institution of national guards in France, that the eventual conquest of continental Europe proceeded; but the Constituent Assembly was then very far from desiring war, for it was too enlightened not to prefer liberty to every thing; and liberty is incompatible with an invading spirit, and with military habits.

The eighty-three departments sent deputies from their national guards, to take an oath of fidelity to the new constitution. It was not, it is true, as yet completed; but the principles

which it declared sacred had obtained universal assent. Patriotic enthusiasm was so strong, that all Paris moved in a mass to the "federation of 1790," as it had moved the year before to the destruction of the Bastille.

The assemblage of the national militia was to take place in the Champ de Mars, in front of the Military School, and not far from the *Hotel des Invalides.* It was necessary to erect around this extensive space eminences of green turf, to hold the spectators. Women of the first rank were seen joining the crowd of voluntary labourers, who came to bear a part in the preparations for the fête. In a line from the Military School, and in front of the Seine, which flows past the Champ de Mars, steps had been raised, with a tent to accommodate the King, Queen, and all the court. Eighty-three spears fixed in the ground, and bearing each the colours of its respective department, formed a vast circle, of which the amphitheatre, prepared for the royal family, made a part. At the other extremity was seen an altar, prepared for mass, which, on this great occasion, was celebrated by M. de Talleyrand, then Bishop of Autun. M. de la Fayette approached this altar to take the oath of fidelity to the nation, the law, and the King; and the oath, and the man

who pronounced it, excited a strong feeling of confidence. The spectators felt an intoxication of delight; the King and liberty seemed to them, at that time, completely united. A limited monarchy has always been the true wish of France; and the last movement of a truly national enthusiasm was displayed at this federation of 1790.

Yet those who were capable of reflection were far from giving themselves up to the general joy. I observed a deep anxiety in my father's countenance; at the moment when the public thought it was rejoicing for a triumph, he was perhaps aware that no resource was left. M. Necker having sacrificed all his popularity to the defence of the principles of a free and limited monarchy, M. de la Fayette was, of course, the grand object of popular affection on this day: he inspired the national guard with an exalted devotion; but, whatever might have been his political opinion, his power would have fallen to the ground if he had ventured to oppose the feeling of the day. Ideas, not individuals, were then all-powerful. The dreadful will of Bonaparte himself would have been unavailing against the direction of the public mind; for the French at that time, far from being fond of military power, would have obeyed

an assembly much more willingly than a general.

That respect for national representation, which is the first basis of a free government, existed in every mind in 1790, as if that representation had lasted a century instead of a year. In fact, if truths of a certain description are self-evident instead of requiring to be taught, it is enough to exhibit them to mankind in order to gain their attachment.

CHAPTER XVII.

Of the State of Society in Paris during the Time of the Constituent Assembly.

FOREIGNERS can have no idea of the boasted charms and splendour of Parisian society, if they have seen France only in the last twenty years; but it may be said with truth, that never was that society at once so brilliant and serious as during the first three or four years of the Revolution, reckoning from 1788 to the end of 1791. As political affairs were still in the hands of the higher classes, all the vigour of liberty, and all the grace of former politeness, were united in the same persons. Men of the *Tiers Etat*, distinguished by their information and their talents, joined those gentlemen who were prouder of their personal attainments than of the privileges of their body; and the highest questions to which social order ever gave rise, were treated by minds the most capable of understanding and discussing them.

The chief deduction from the pleasure of society in England arises from the occupations

and interests of a country that has long possessed representatives. French society, on the other hand, was rendered somewhat superficial by the vacancy attendant on an absolute form of government. But the vigour of liberty became all at once joined to the elegance of an aristocracy: in no country, and at no time, has the art of speaking in every way been possessed in so remarkable a degree, as in the early years of the Revolution.

In England women are accustomed to be silent before men, when politics form the matter of conversation: in France women are accustomed to lead almost all the conversation that takes place at their houses, and their minds are early formed to the facility which that requires. Discussions on public affairs were thus softened by their means, and often intermingled with kind and lively pleasantry. Party spirit, it is true, caused divisions in society; but every one lived with those of his own side.

At court, the two battalions of good company, one faithful to the old state of things, the other the advocates of liberty, drew up on opposite sides, and rarely approached each other. I sometimes ventured, in the spirit of enterprise, to try a mixture of the two parties, by bringing together at dinner the most intelli-

gent men of each side; for people of a certain superiority almost always understand each other; but affairs became too serious to admit of the easy renewal of even this momentary harmony.

The Constituent Assembly, as I have already mentioned, did not suspend the liberty of the press for a single day. Those who had the mortification of being always in a minority in the Assembly, had thus the satisfaction at least of exciting laughter at all their opponents. Their newspapers abounded in lively witticisms on the most important matters: it was the history of the world converted into daily gossip. Such is every where the character of the aristocracy of courts; yet as the acts of violence that had marked the outset of the revolution, had been soon appeased, and as no confiscation, no revolutionary sentences had taken place, every one preserved enough of comfort to give himself up to the free exercise of his mind. The crimes with which the Jacobins afterwards sullied the cause, did not then oppress the minds of the patriots; and the aristocrats were not then reduced to such a state of suffering as to embarrass a feeling mind on vanquishing them in argument.

Every thing was then in opposition—interests,

sentiments, and manner of thinking; but so long as scaffolds were not erected, the use of speech proved an acceptable mediator between the two parties. It was, alas! the last time that the talents of the French showed themselves in all their splendour; it was the last, and, in some respects, likewise the first time that the society of Paris could convey an idea of that communication of superior minds with each other, the noblest enjoyment of which human nature is capable. Those who lived at that time cannot but acknowledge that they never witnessed in any country so much animation, or so much intelligence; we may judge by the number of men of talent drawn forth by the circumstances of the time, what the French would become if called on to take part in public business in a path traced by a wise and upright constitution.

It is possible indeed to introduce into political institutions a kind of hypocrisy which condemns people, from the time they come into society, to be silent, or to deceive. Conversation in France has been as much spoiled during the last fifteen years, by the sophistry of party spirit, and the prudence of time-serving, as it was frank and animated, at a time when the most important questions were boldly

discussed. At that time there was only one kind of apprehension, that of not having sufficient claims to the public esteem; and this apprehension gives extension to the powers of the mind instead of compressing them.

CHAPTER XVIII.

The Introduction of Assignats, and Retirement of M. Necker.

THE members of the Finance Committee proposed to the Constituent Assembly to discharge the public debt by creating nearly ninety millions sterling of paper money, to be secured on church lands, and to be of compulsory circulation. This was a very simple method of bringing the finances in order; but the probability was, that in thus getting rid of the difficulties which the administration of a great country always presents, an immense capital would be expended in a few years, and the seeds of new revolutions be sown by the disposal of that capital. In fact, without such vast pecuniary resources, neither the interior troubles of France, nor the foreign war, could have so easily taken place. Several of the deputies, who urged the Constituent Assembly to make this enormous emission of paper money, were certainly unconscious of its disastrous effects; but they were fond of the power which

the command of such a treasure was about to give them.

M. Necker made a strong opposition to the assignat system; first, because, as we have already mentioned, he did not approve of the confiscation of all the church lands, and would always, in accordance with his principles, have excepted from it, the archbishoprics, bishoprics, and, above all, the smaller benefices (*presbytères*): for the curates have never been sufficiently paid in France, although, of all classes of priests, they are the most useful. The effects of paper money, its progressive depreciation, and the unprincipled speculations to which that depreciation gave rise, were explained in M. Necker's memorial, with an energy too fully confirmed by the event. Lotteries, to which several members of the Constituent Assembly, and, in particular, the Bishop of Autun (Talleyrand), very properly declared themselves adverse, are a mere game of chance; while the profit resulting from the perpetual fluctuation of paper money is founded almost entirely on the art of deceiving, at every moment of the day, in regard to the value either of the currency, or of the articles purchased with it. The lower class, thus transformed into jobbers, acquire by the facility of irregular gains, a distaste for

steady labour; and a debtor, who discharges himself in an unfair manner, is no longer a man of strict probity in other transactions. M. Necker foretold, in 1790, all that has since happened in regard to the assignats—the loss of public wealth by the low rate at which the national lands would be sold, and that series of sudden fortunes and sudden failures, which necessarily perverts the character of those who gain as of those who lose: for so great a latitude of fear and hope produces agitations too violent for human nature.

In opposing the system of paper money M. Necker did not confine himself to the easy task of attacking; he proposed, as a counter-expedient, the establishment of a bank, on a plan of which the principal parts have since been adopted, and in which he was to have introduced as a security, a portion of the church lands, sufficient to restore the finances to the most prosperous condition. He also insisted strongly, but without effect, that the members of the Board of Treasury should be admitted into the Assembly, that they might discuss questions of finance in the absence of the minister, who had no right to be there. Finally, M. Necker, before quitting office, made use, for the last time, of the respect that he in-

spired, in directly refusing to the Constituent Assembly, and, in particular, to Camus a member, a communication of the "Red Book."

This book contained the secret expenditure of the state under the preceding reign, and under that of Louis XVI. It contained not a single article ordered by M. Necker; yet it was he who encountered a most disagreeable struggle, to prevent the Assembly from being put in possession of a register, which bore evidence of the misconduct of Louis XV., and of the too great bounty of Louis XVI.: his bounty only—for M. Necker made a point of communicating that, in the space of sixteen years, the King and Queen had taken for themselves only half a million sterling of this secret expenditure; but a number of persons then alive might be exposed by giving publicity to the large sums that they had received. These persons happened to be M. Necker's enemies, because he had blamed the lavishness of the Court towards them: still it was he who ventured to displease the Assembly by preventing the publicity of the faults of his antagonists. So many virtues in so many ways, generosity, disinterestedness, perseverance, had, in former times, been rewarded by public confidence, and were now more than ever entitled to it. But

that which should inspire a profound interest in whomsoever has formed an idea of the situation of M. Necker, was the seeing a man of the finest talents, and highest character, placed between parties so opposite, and duties so different, that the complete sacrifice of himself, his reputation, and his happiness, could not succeed in reconciling either prejudices to principles, or opinions to interests.

Had Louis XVI. allowed himself to be effectually guided by the advice of M. Necker, it would have been the duty of that minister not to retire. But the partizans of the old government advised the King, as they perhaps would do at present, never to follow the counsel of a man, who had shown attachment to liberty: that, in their eyes, is a crime never to be forgiven. Besides, M. Necker perceived that the King, dissatisfied with the part allotted to him in the constitution, and weary of the conduct of the Assembly, had determined to withdraw from such a situation. Had he addressed himself to M. Necker, to concert with him his departure, his minister would, no doubt, have felt it incumbent on him to second it with all his means, so cruel and dangerous did the situation of the monarch appear to him! And yet it was extremely contrary to the natural wishes of a man

called to his station by the wish of the people, to pass into a foreign territory: but if the King and Queen did not intimate to him their intentions in that point, was it for him to call forth confidential communications? Things had proceeded to such an extremity, that a man, to possess influence, must have been either factious or counter-revolutionary, and neither of these characters was suitable to M. Necker.

He took, therefore, the determination of resigning, and, doubtless, it was at this time his only proper course; but, always guided by a wish to carry his sacrifices for the public as far as possible, he left two million livres of his fortune as a deposit in the treasury, precisely because he had foretold that the paper money, with which the dividends were about to be paid, would soon be of no value. He was unwilling, as a private individual, to set an example which might be injurious to the operation which he blamed as minister. Had M. Necker possessed very great wealth, this manner of abandoning his property would even then have been very extraordinary; but as these two millions formed more than the half of a fortune, reduced by seven years of a ministry without salary, the world will perhaps be surprised that a man, who had acquired his property by his own exertions,

should thus feel the necessity of sacrificing it to the slightest sentiment of delicacy.

My father took his departure on 8th September, 1790. I was unable from indisposition to follow him at the time; and the necessity of remaining behind was the more painful to me, as I was apprehensive of his meeting difficulties in his journey. In fact, four days after his departure, a courier brought me a letter from him with notice of his being arrested at Arcis-sur-Aube. The people, persuaded that he had lost his credit in the Assembly only from having sacrificed the cause of the nation to that of the King, endeavoured to prevent him from continuing his journey. The thing which, of all others, made M. Necker suffer most in this situation, was the heart-rending disquietude that his wife felt for him; she loved him with a feeling so sincere and impassioned, that he allowed himself, perhaps injudiciously, to speak of her, and of her grief, in the letter which on his departure he addressed to the Assembly. The times, it must be confessed, were not suitable to domestic affection; but that sensibility which a great statesman was unable to restrain in any circumstance of his life, was exactly the source of his characteristic qualities—penetration and goodness. He who is capable of true and pro-

found emotion is never intoxicated by power; and it is by this, above all, that we recognize in a minister true greatness of soul.

The Constituent Assembly decided that M. Necker should be allowed to continue his journey. He was set at liberty, and proceeded to Bâle, but not without still running great hazards: he performed this distressing journey by the same road, across the same provinces where, thirteen months before, he had been carried in triumph. The aristocrats did not fail to make a boast of his sufferings, without considering, or, rather without being willing to allow that he had put himself into that situation for the sake of defending them, and of defending them solely in the spirit of justice: for he well knew that nothing could restore him to their good opinion; and it was certainly not in any such expectation, but from attachment to his duty, that he made a voluntary sacrifice, in thirteen months, of a popularity of twenty years.

He departed with an anguished heart, having lost the fruits of a long career; nor was the French nation likely perhaps ever to find a minister who loved it with equal feeling. What was there then so satisfactory to any one in such a misfortune? What! the incorrigible will exclaim, was he not a partisan of that liberty which has done us all so much mischief? As-

suredly I will not tell you all the good that this liberty would have done you, had you been willing to adopt her when she offered herself to you pure and unstained; but if we suppose that M. Necker was mistaken along with Cato and Sydney, with Chatham and Washington, ought such an error, the error of all generous minds during two thousand years, to extinguish all gratitude for his virtues?

CHAPTER XIX.

State of Affairs and of political Parties in the Winter of 1790-91.

IN all the provinces of France there burst forth troubles, caused by the total change of institutions, and by the struggle between the partisans of the old and new form of government.

The executive power lay dormant (*faisoit le mort*), according to an expression of a deputy on the left side of the Assembly, because it hoped, though without foundation, that good might follow from excess even in mischief. The ministers were incessantly complaining of the disorders; and although they had but limited means to oppose to them, even these they did not employ, flattering themselves that the unhappy state of things would oblige the Assembly to put more strength into the hands of government. The Assembly, perceiving this plan of proceeding, assumed the control of the whole executive branch, instead of restricting itself to the legislative. After M. Necker's retirement, the Assembly demanded the removal of the mi-

nisters, and, in its constitutional decrees, looking only to the circumstances of the moment, it deprived the King successively of the appointment of all the agents of the executive power. It put its bad humour against this or that person into the shape of a decree, believing, like almost all men in power, in the duration of the present state of things. The deputies of the left side were accustomed to say: "The head of the executive power in England has agents of his own nomination; while the executive power in France, not less strong, but more happy, will have the advantage of commanding only persons chosen by the nation, and will thus be more intimately united with the people." There are phrases for every thing, particularly in the French language, which has served so much and so often for different and momentary objects. Nothing, however, was so easy as to prove that one cannot command men over whose fortune one does not possess influence. This truth was avowed only by the aristocratic party, but it went into the opposite extreme, in not recognizing the necessity of the responsibility of ministers. One of the greatest beauties of the English constitution is, that each branch of government, whether King, Lords, or Commons,

is all that it can be. The powers are equal among them, not from weakness, but on account of their strength.

In whatever was not connected with the spirit of party, the Constituent Assembly gave proofs of the highest degree of reason and information: but there is something in our passions so violent as to burst the links in the chain of reasoning: certain words inflame the blood, and self-love makes the gratification of the moment triumph over all that might be durable.

The same distrust of the King which clogged the progress of the interior administration, and the judicial branch of government, made itself still more felt in the decrees relative to the army. The Assembly willingly fomented a spirit of insubordination in the army, at a time when nothing would have been so easy as to repress it; a proof of this was seen in the mutiny of the regiment of Chateauvieux: the Assembly thought proper to repress this revolt, and, in a few days, its orders were carried into effect. M. de Bouillé, an officer of true merit in the old government, at the head of the troops that had remained faithful, obliged the soldiers in insurrection, to give up the town of Nancy, of which they had obtained possession. This success, owing in fact only to the ascendency of the

decrees of the Assembly, gave false hopes to the Court; it imagined, and M. de Bouillé did not fail to confirm it in the delusive idea, that the army was desirous of re-instating the King in his former power; while, in fact, the army, like the nation at large, was desirous of assigning limits to the will of a single ruler. To date from the expedition of M. de Bouillé, in the autumn of 1790, the Court entered into negotiation with him, and hopes were entertained of being able, in some way or other, to bring Mirabeau to enter into concert with that General. The Court conceived, that the best means of stopping the revolution was to gain the leaders; but this revolution had only invisible leaders: these were the truths which were firmly believed, and which no seductive power was capable of shaking. In politics we must treat with principles, and not trouble ourselves about individuals, who fall of themselves into their place as soon as we have given a proper shape to the frame into which they are to enter.

However, the popular party on its part became sensible that it had been carried too far, and that the clubs which were establishing themselves out of the Assembly, were beginning to dictate laws to the Assembly itself. From the moment that we admit into a govern-

ment a power that is not legal, it invariably ends by becoming the strongest. As it has no other business than to find fault with what is going on, and has no active duty to discharge, it lies nowise open to censure, and it counts among its partizans all who desire a change in the country. The case is the same with the free-thinkers, who attack religion of every kind, but who know not what to say when desired to substitute a system, of whatever sort, for that which they aim at overturning. We must beware of confounding these self-constituted authorities, whose existence is so pernicious, with the public opinion, which makes itself be felt in all directions, but never forms itself into a political body. The Jacobin clubs were organized as a government more than the government itself: they passed decrees: they were connected by correspondence in the provinces with other clubs not less powerful: finally, they were to be considered as a mine under ground, always ready to blow up existing institutions, when opportunities should offer.

The party of the Lameths, Barnave, and Duport, the most popular of all, next to the Jacobins, was however already threatened by the demagogues of the day, most of whom were, in their turn, to be considered in the ensuing year, as the next thing to aristocrats. The Assembly,

however, always perseveringly rejected the measures proposed in the clubs against emigration, against the liberty of the press, against the assemblages of the *noblesse;* never, to its honour (and we shall not be weary of repeating it), did it adopt the terrible doctrine of establishing liberty by means of despotism. It is to that detestable system that we must ascribe the loss of public spirit in France.

M. de la Fayette and his partizans would not consent to go to the Jacobin club; and to balance its influence, they endeavoured to found another society under the name of "Club of 1789," in which the friends of order and liberty were expected to meet. Mirabeau, although he had other views of his own, came to this moderate club, which, however, was soon deserted, because no one was urged thither by an object of active interest. Its proposed duties were to preserve, to repress, to suspend; but these are the functions of a government, not of a club. The *monarchists,* I mean the partizans of a king and constitution, should naturally have connected themselves with this club of 1789; but Sieyes and Mirabeau, who belonged to it, would, for no possible consideration, have consented to lose their popularity by drawing near to Malouet or Clermont-Tonnerre, to men who were as much adverse to the impulse of

the moment, as they were in harmony with the spirit of the age. The moderate party were then divided into two or three different sections, while the assailants were almost always united. The prudent and courageous advocates of English institutions found themselves repulsed in all directions, because they had only truth on their side. We find, however, in the *Moniteur* of the time precious acknowledgments by the leaders of the right side of the Assembly in regard to the English constitution. The Abbé Maury said, "The English constitution which the friends of the throne and of liberty equally ought to take as a model." Cazalès said, "England, that country, in which the nation is as free as the king is respected." In short, all the defenders of old abuses, seeing themselves threatened by a much greater danger than even the reform of those abuses, extolled the English government at that time, as much as they had depreciated it two years before, when it was so easy for them to obtain it. The privileged classes have renewed this manœuvre several times, but always without inspiring confidence: the principles of liberty cannot be a matter of tactical manœuvre; for there is something which partakes of devotion in the feeling with which sincere minds are impressed for the dignity of human nature.

CHAPTER XX.

Death of Mirabeau.

A MAN of great family from Brabant, of a sagacious and penetrating mind, acted as the medium between the Court and Mirabeau: he had prevailed on him to correspond secretly with the Marquis de Bouillé, the General in whom the royal family had the most confidence. The project of Mirabeau was, it seems, to convey the King to Compiegne, in the midst of the regiments on whom M. de Bouillé thought dependance could be placed, and to call thither the Constituent Assembly, that it might be disengaged from the influence of Paris, and brought under that of the Court. But Mirabeau had, at the same time, the intention of causing the English constitution to be adopted; for never will a truly superior man desire the re-establishment of arbitrary power. An ambitious character might take pleasure in such power, if assured of holding it during the whole of his life; but Mirabeau was perfectly aware that if he succeeded in re-establishing an unlimited mo-

narchy in France, the direction of such a government would not long be granted him by the Court; he desired, therefore, a representative government, in which men of talent, being always necessary, would always be of weight.

I have had in my hands a letter of Mirabeau written for the purpose of being shown to the King: he there made offer of all his means to restore to France an efficient and respected, but a limited monarchy; he made use, among others, of this remarkable expression: "I should lament to have laboured at nothing but a vast destruction." The whole letter did honour to the justness of his views. His death was a great misfortune at the time it happened; a transcendant superiority in the career of thought always offers great resources. "You have too much capacity," said M. Necker one day to Mirabeau, "not to acknowledge, sooner or later, that morality is in the nature of things." Mirabeau was not altogether a man of genius; but he was not far from being one by the force of talent.

I will confess then, notwithstanding the frightful faults of Mirabeau, notwithstanding the just resentment which I felt for the attacks that he allowed himself to make on my father

in public (for, in private, he never spoke of him but with admiration), that his death struck me with grief, and all Paris experienced the same sensation. During his illness an immense crowd collected daily and hourly before his door: that crowd made not the smallest noise, from dread of disturbing him; it was frequently renewed in the course of the twenty-four hours, and persons of different classes all behaved with equal respect. A young man, having heard it said that on introducing fresh blood into the veins of a dying man a recovery might be effected, came forward, and offered to save the life of Mirabeau at the expense of his own. We cannot, without emotion, see homage rendered to talent; so much does it differ from that which is lavished on power!

Mirabeau knew that his death was approaching. At that moment, far from sinking under affliction, he had a feeling of pride: the cannon were firing for a public ceremony; he called out, "I hear already the funeral of Achilles." In truth, an intrepid orator, who should defend with constancy the cause of liberty, might compare himself to a hero. "After my death," said he again, "the factious will share among themselves the shreds of the monarchy." He had conceived the plan of repairing a great

many evils; but it was not given to him to be the expiator of his faults. He suffered cruelly in the last days of his life; and, when no longer able to speak, wrote to Cabanis, his physician, for a dose of opium, in these words of Hamlet: "to die—to sleep." He received no consolation from religion; he was struck by death in the fulness of the interests of this world, and when he thought himself near the object at which his ambition pointed. There is in the destiny of almost all men, when we take the trouble of examining it, a manifest proof of a moral and religious object, of which they themselves are not always aware, and towards which they advance unconsciously.

All the parties at that time regretted Mirabeau. The Court flattered itself with having gained him; the friends of liberty reckoned on his aid. Some said that, with such distinguished talents, he could not be desirous of anarchy, as he had no need of confusion to be the first man in the state; and others were certain that he wished for free institutions, because personal value cannot find its place where these do not exist. In fine, he died in the most brilliant moment of his career, and the tears of the people who followed him to the grave made the ceremony very affecting: it

was the first time in France, that a man indebted for celebrity to his writings and his eloquence received those honours which had heretofore been granted only to men of high birth, or to distinguished commanders. The day after his death no member of the Constituent Assembly cast an unmoved eye towards the place where Mirabeau was accustomed to sit. The great oak had fallen; the rest were no longer to be distinguished.

I cannot but blame myself for expressing such regret for a character little entitled to esteem; but talent like his is so rare; and it is, unfortunately, so likely that one will see nothing equal to it in the course of one's life, that it is impossible to restrain a sigh when death closes his brazen gates on a man lately so eloquent, so animated; in short, so strongly and so firmly in possession of life.

CHAPTER XXI.

Departure of the King on the 21st of June, 1791.

LOUIS XVI. would have cordially accepted the English constitution had it been presented to him with candour, and with the respect due to the head of a government; but the Assembly wounded all his affections, particularly by three decrees, which were rather hurtful than useful to the cause of the nation. They abolished the power of granting pardons, that power which ought to exist in every civilized society, and which, in a monarchy, can belong only to the Crown: they required from the priests an oath of adherence to the civil constitution of the clergy, on pain of the loss of their appointments; and they wished to deprive the Queen of the power of being Regent.

The greatest error, perhaps, of the Constituent Assembly, as we have already said, was to aim at creating a clerical body dependent on it, in the same way as has been done by a number of absolute sovereigns. It deviated, for this

purpose, from that system of perfect equity in which it ought to have sought support. It stimulated to resistance the conscience and the honour of the clerical body. The friends of liberty wander from the true path, whenever it is practicable to oppose to them generous sentiments; for true liberty can have opponents but among those who are ready to act a usurping or servile part; and the priest who refused a theological oath exacted by threats, acted more the part of a free man than those who endeavoured to make him give the lie to his opinion.

Lastly, the third decree, the one relative to the Regency, being intended to keep power out of the hands of the Queen, who was suspected by the popular party, could not fail to be personally offensive on several grounds to Louis XVI. That decree declared him the first public functionary, a title wholly unsuited to a king, since every functionary must be responsible; and it is indispensable to introduce into hereditary monarchy a sentiment of respect, naturally connected with the inviolability of the sovereign. This respect does not exclude the mutual compact between the King and the nation, a compact existing at all times either in a tacit or in an avowed shape; but reason and delicacy

may always be made compatible when people are sincerely disposed to it.

The second article of the regency decree was to be condemned on grounds similar to those that we have already mentioned; it declared the King deprived of the throne (*dechu du trone*) if he went out of France. This was pronouncing on what ought not to have been anticipated, the case in which a king was to be stripped of his dignity. Republican virtues and institutions elevate very greatly the people whose situation allows them to enjoy them; but, in monarchical countries, the people become perverted if they are not accustomed to respect the authority which they have acknowledged. A penal code against a king is an idea without application, whether that king be strong or weak. In the latter case, the power that overturns him does not confine itself to law, in whatever manner that law may have been conceived.

It is therefore only under a prudential point of view that we are to form an opinion of the step taken by the King in escaping from the Tuileries on the 21st of June, 1791. He had certainly met by that time with as much bad treatment as gave him a right to quit France; and he perhaps rendered a great service even to the friends of liberty by putting an end to an hypocritical

situation; for their cause was injured by the vain efforts that they made to persuade the nation that the political acts of the King, from the time of his arrival at Paris, were acts of free will, when it was perfectly evident that they were not.

Mr. Fox told me in England, in 1793, that at the time of the King's departure to Varennes, he should have wished that he had been allowed to quit the kingdom in peace, and that the Constituent Assembly had proclaimed a republic. France would at least not have sullied herself with the crimes afterwards committed against the royal family; and whether a republican form can or cannot succeed in a great country, it is always best that the trial should be made by upright men. But that which was most to be dreaded took place—the arrest of the King and his family.

A journey requiring so much management and rapidity was prepared almost as in ordinary times: etiquette is of such moment at a court, that it could not be dispensed with even on this most perilous occasion; the consequence was the failure of the attempt.

When the Constituent Assembly learned the King's departure, its behaviour was perfectly firm and becoming; what it had wanted till

that day was a counterpoise to its unlimited power. Unfortunately, the French arrive at reason in political matters only by compulsion. A vague idea of danger hovered over the Assembly; it was possible that the King might go, as he intended, to Montmedy, and that he might receive aid from foreign troops; it was possible that a great party might declare for him in the interior. In short, disquietude put an end to extremes; and among the deputies of the popular party, those who had clamoured on pretext of tyranny when the English constitution was proposed to them, would now have willingly subscribed to it.

Never will it be possible to find grounds of consolation for the arrest of the King at Varennes: irreparable faults, crimes which must long be the cause of shame, have impaired the feeling of liberty in the minds best fitted to receive it. Had the King left the country, perhaps an equitable constitution might have arisen out of the struggle between the two parties. But civil war, it will be exclaimed, was to be avoided above all things. Not above all things! there are other calamities still more to be dreaded. Generous virtues are displayed by those who fight for their opinion; and it is more natural to shed one's blood in defence of it, than

for one of the thousand political interests which form the habitual causes of war. Doubtless it is cruel to fight against one's fellow-citizens, but it is still more horrible to be oppressed by them; and that which of all things ought to be avoided in France is the absolute triumph of a party. For a long habit of liberty is necessary to prevent the feeling of justice from being perverted by the pride of power.

The King, on setting out, left a manifesto containing the motives for his departure; he recapitulated the treatment which he had been obliged to undergo, and declared that his authority was reduced to such a degree, that he had no longer the power of governing. Amidst complaints so well founded, it was improper to insert observations of too minute a cast on the bad condition of the palace of the Tuileries. It is very difficult for hereditary sovereigns to prevent themselves from being governed by habit in the smallest as in the greatest events of life; but it is perhaps on that very account that they are better adapted than elected chiefs to a government of law and peace. The manifesto of Louis XVI. closed with the memorable assurance, "that on recovering his independence, he was ready to devote it to erecting the liberty of the French people on an imperishable foun-

dation." Such was at that time the current of public feeling, that no one, not even the King himself, considered practicable the re-establishment of an unlimited monarchy.

The Assembly, as soon as it was informed of the arrest of the royal family at Varennes, sent thither commissaries, among whom were Pethion and Barnave: Pethion, a man without information or elevation of soul, saw the misfortune of the most affecting victims without being moved by it. Barnave felt a respectful pity, particularly for the Queen; and from that time forward, he, Duport, Lameth, Regnault de St. Jean d'Angely, Chapelier, Thouret, and others, united all their influence to that of M. de la Fayette, to the restoration of royalty.

The King and his family, on returning from Varennes, made a mournful entry into Paris; the clothes of the King and Queen were covered with dust; the two children of the royal family looked with surprise on the mass of people who came forth with an air of command into the presence of its fallen masters. Madame Elizabeth appeared, in the midst of this illustrious family, like a being already sanctified, and which has no longer any thing in common with the world. Three of the body guards, placed on the outside seat of the carriage, were exposed

every moment to the danger of being massacred, and deputies of the Constituent Assembly placed themselves repeatedly between them and the enraged part of the populace who thirsted for their death. It was thus that the King returned to the palace of his ancestors. Alas! what a sad presage! and how truly was it fulfilled!

CHAPTER XXII.

Revisal of the Constitution.

THE Assembly was constrained, by the popular ferment, to declare that the King should be kept prisoner in the palace of the Tuileries, until the constitution had been presented for his acceptance. M. de la Fayette, as commander of the national guards, had the misfortune of being doomed to carry this decree into effect. But if, on the one hand, he placed sentinels at the gates of the palace, he opposed, on the other, with conscientious energy, the party which endeavoured to pronounce the King fallen from the throne. He employed against those who pressed that measure the armed force in the *Champ de Mars;* and he thus proved, at least, that it was not from views of ambition that he exposed himself to the displeasure of the King, as he drew on himself at the same time, the hatred of the enemies of the throne. The only equitable manner, in my opinion, of judging the character of a man, is to examine if there are no personal calculations in his conduct; if

there are not, we may blame his manner of judging; but we are not the less bound to esteem him.

The republican party was the only one that came openly forward at the time of the arrest of the King. The name of the Duke of Orleans was not even mentioned; no one presumed to think of another king than Louis XVI. and he received at least the homage of having nothing but institutions opposed to him. Finally, the person of the monarch was declared inviolable; a specification was made of the cases in which a deprivation of the Crown should be incurred; but if the illusion which should surround the royal person were thus destroyed, engagements proportionably stronger were taken to respect the law which guaranteed the inviolability of the sovereign in every possible supposition.

The Constituent Assembly always thought, but very erroneously, that its decrees possessed something of magic power; and that the people would stop in every thing exactly at the line which it had traced. Its authority, in this respect, may be compared to that of the ribband suspended in the garden of the Tuilleries to prevent the people from approaching the palace: so long as public opinion was in favour of those who had caused this ribband to be

strung, it was respected by every one; but, as soon as the people would no longer have a barrier, it was not of the slightest use.

We find in some modern constitutions, as a constitutional article: "the government shall be just, and the people obedient." Were it possible to command such a result, the balance of powers would be altogether superfluous; but, to succeed in putting good maxims in execution, it is necessary to combine institutions in such a way that every one shall find his interest in maintaining them. Religious doctrines stand in no need of appealing to personal interest to acquire command over men, and it is in that, above all, that they are of a superior order; but legislators, invested with the interests of this world, fall into a kind of self-deception, when they introduce patriotic sentiments as a necessary spring in the machine of society. To reckon on consequences for organizing a cause is to mistake the natural order of events. Nations become free, not from their being virtuous, but because fortunate circumstances, or rather a decided determination, having put them in possession of liberty, they acquire the virtues which arise from it.

The laws on which civil and political liberty depend are reducible to a very small number,

and it is this political decalogue alone that merits the title of constitutional articles. But the National Assembly gave that title to almost all its decrees; whether it thus aimed at keeping itself independent of the royal sanction, or, like an author, acted under a degree of illusion in regard to the perfection and durability of its own work.

However, the intelligent men in the Assembly succeeded in lessening the number of constitutional articles; but a discussion arose to ascertain whether it should not be decided that every twenty years a new Constituent Assembly should be formed to revise the constitution which they had just established, taking for granted, that, in this interval, no change should be made in it. What confidence did this show in the stability of such a work, and how greatly has it been deceived?

At last it was decreed that no constitutional article should be modified, except on the demand of three succeeding assemblies. This was forming an extraordinary idea of human patience, on subjects of such great importance.

The French, in general, look only at the reality of the things of this life, and are sufficiently ready to turn principles into ridicule, if they appear to them an obstacle to the imme-

diate success of their wishes. But the Constituent Assembly, on the other hand, acted under a domineering passion for abstract ideas. This fashion, which was quite contrary to the spirit of the nation, did not last long. The factious made use at first of metaphysical arguments as motives for the most guilty actions, and they soon after overturned this baseless fabric, to proclaim, without disguise, the imperious call of circumstances, and the contempt of general views.

The *côté droit* of the Assembly was often in the right during the course of the session, and more often still excited the interest of the public, because it was oppressed by a stronger party, and denied opportunities of speaking. In no country is it more necessary than in France to establish regulations in deliberative assemblies in favour of the minority; for such a predilection exists there for the stronger party, that people are apt to account it a crime in you to belong to the weaker.* After the

* An excellent work, entitled "The Tactics of deliberative Assemblies," composed by M. Dumont of Geneva, and containing, in part, the ideas of Mr. Bentham, an English lawyer of the most profound research, should be perpetually consulted by the members of our legislature. For it is by no means enough to carry a question in an assembly. It is

arrest of the King, the aristocrats, knowing that royalty had acquired defenders among the popular party, thought it best to let the latter act, and to come less conspicuously forward themselves. The converted deputies did what they could to increase the authority of the executive power; but they did not, however, venture to broach those questions, the decision of which alone could give solidity to the political state of France. People were afraid to speak of two chambers as of a conspiracy. The right of dissolving the legislative body, a right so necessary to the maintenance of royal authority, was not granted to it. Moderate men were alarmed by being called aristocrats: yet the aristocrats were then no longer formidable; and it was on that very account that the name had been converted into a reproach. At that time, as well as subsequently, the stronger party in France have had the art of making the vanquished the object of public disquietude; one would say, that the weak alone were to be dreaded. To over-rate the means of their adversaries is a good pretext to increase the power

necessary that the weaker party should have been heard with patience; such is the advantage and the right of a representative government.

of the victors. We must form enemies in effigy, if we wish to accustom our arm to strike a weighty blow.

The majority of the Assembly hoped to restrain the Jacobins, and yet it compounded with them, and lost ground at each victory. The constitution accordingly was drawn, like a treaty between two parties, not like a work for permanency. The authors of this constitution launched into the sea an ill-constructed vessel, and thought that they found a justification for every fault by quoting the wish of such an individual, or the credit of such another. But the waves of the ocean which the vessel had to traverse were not to be smoothed by such apologies.

But what course, it will be asked, could be adopted when circumstances were unfavourable to that which reason seemed to dictate? Resist, always resist, and rely for support on yourselves. The courage of an upright man is a consideration of importance, and no one can foresee what consequences it may have. Had there been ten deputies of the popular party, had there been five, three, or even one, who had made the Assembly feel all the misfortunes that would necessarily result from a political fabric defenceless against faction; had he adjured the Assembly, in the name of the admirable principles

which it had decreed, and of the principles which it had overturned, not to expose to hazard so many blessings that formed the treasure of human reason; had the inspiration of thought revealed to one orator in what manner the sacred name of liberty was soon to be consigned to a melancholy association with the most cruel recollections, one man alone might perhaps have been able to arrest the fatal impulse. But the applause, or the murmurs of the galleries, influenced questions which ought to have been discussed calmly by the most enlightened and most reflecting men. The pride which enables one to resist a multitude is of another kind than that which renders one independent of a despot; although it is the same natural impulse that enables us to struggle against oppression of every kind.

There remained only one method of repairing the errors of the laws: that method lay in the choice of men. The deputies about to succeed in the Constituent Assembly might resume imperfect labours, and rectify, in the spirit of wisdom, the faults already committed. But the Assembly set out by rejecting property as a qualification, although necessary to confine the elections to the class that has an interest in the maintenance of order. Robespierre, who was

about to act so great a part in the reign of blood, combated this condition as an injustice, however low the scale might be fixed; he brought forward the declaration of the rights of man in regard to equality, as if that equality, even in its most extended sense, admitted the power of acquiring every thing without talent and without labour. To arrogate political rights without a title to exercise them, is a usurpation as much as any other. Robespierre joined obscure metaphysics to common declamation, and it was thus that he worked up a kind of eloquence. Better speeches were composed for him in his day of power; but during the Constituent Assembly no one paid attention to him, and whenever he rose to speak, those of the democrats who had any taste were very ready to turn him into ridicule, that they might obtain the credit of belonging to a moderate party.

It was decreed, that to pay taxes at the annual rate of a mark of silver (about fifty-four livres) should be a necessary qualification to being a deputy. This was enough to excite complaints from the speakers in regard to all the younger brothers of families, in regard to all the men of talent, who would be excluded by their poverty from becoming representatives: yet the rate was so small as not to confine the

choice of the people to the class of men of property.

The Constituent Assembly, to remedy this inconvenience, established two stages in the elective process: it decreed that the people should name electors, who should subsequently make choice of deputies. This gradation had certainly a tendency to soften the action of the democratic element, and the revolutionary leaders were, doubtless, of that opinion, since they abolished it on their acquiring the ascendency. But a choice made directly by the people, and subjected to a fair qualification in point of property, is infinitely more favourable to the energy of a free government. An immediate election, such as exists in England, can alone communicate public spirit, and love of country, to every class. A nation becomes attached to its representatives, when it has chosen them itself: but when obliged to confine itself to the electing of those who are to elect in their turn, the artificial combination casts a damp on its interest. Besides, Electoral Colleges, from the mere circumstance of their consisting of a small number of persons, are much more open to intrigue than large masses; they are open, above all, to that borough-intrigue that is so degrading, when we see men of the middling ranks apply to their

lofty superiors to get places for their sons in the anti-chambers of the court.

In a free government the people ought to rally itself under the first class, by taking representatives from among it, and the first class should endeavour to please the people by their talents and virtues. This double tie retains but little force when the act of election has to pass through two stages. The life of election is thus destroyed to avoid commotion; it is a great deal better, as in England, to balance discreetly the democratic by the aristocratic element, leaving, however, both in possession of their natural independence.

M. Necker in his last work proposed a new method of establishing two stages of election; this should consist, he thinks, in the electoral college giving a list of a certain number of candidates, out of which the primary assemblies might make a choice. The motives for this institution are ingeniously explained in M. Necker's book:* but it is evident that he thought it, all along, necessary that the people should exercise fully its right and its judgment, and that distinguished men should have a permanent interest in winning its suffrages.

* Last Views of Politics and Finance.

The revisers of the constitution in 1791 were incessantly accused by the Jacobins of being the advocates of despotism, even at the time that they were obliged to resort to circumlocution in speaking of the executive power, as if the name of a king could not be pronounced in a monarchical state. Yet the Constituent Deputies might still perhaps have succeeded in saving France had they been members of the following assembly. The most enlightened deputies felt what was wanted to a constitution framed under the pressure of events, and they would have endeavoured to find a remedy in the mode of interpreting it. But the party of mediocrity, which counts so many soldiers in its ranks, that party which hates talents, as the friends of liberty hate despotism, succeeded in debarring, by a decree, the deputies of the Constituent Assembly from the possibility of being re-elected. The aristocrats and the Jacobins, having acted a very inferior part during the session, did not flatter themselves with being returned; they felt accordingly a pleasure in shutting the entrance to the next assembly on those who were assured of the votes of their fellow-citizens. For of all agrarian laws that which would most please the mass of mankind, would be a division of public

suffrages into equal portions, talents never obtaining a greater number than mediocrity. Many individuals would flatter themselves with gaining by this plan; but the emulation which creates the wealth of mankind would be totally lost.

In vain did the first orators of the Assembly urge that successors altogether new, and elected in a time of trouble, would be ambitious of making a revolution equally striking as that which had distinguished their predecessors. The members of the extremity of the *côté gauche* agreeing with the extremity of the *côté droit*, exclaimed that their colleagues wished to make a monopoly of power, and deputies, hitherto inimical, the Jacobins and aristocrats, joyfully shook hands, on thinking that they should have the good *fortune* of excluding men whose superiority had for two years cast them into the shade.

How great a fault under existing circumstances! but also how great an error, in point of principle, was it to forbid the people to return those who have already shown themselves worthy of its confidence! In what country do we find a sufficient number of capable persons to enable us to exclude, in an arbitrary manner, men already known, already tried, and practi-

cally acquainted with business. Nothing costs a state dearer than deputies who have to make their fortune in the way of reputation; men of acquired property of this kind also, ought to be preferred to those who have still their wealth to seek.

CHAPTER XXIII.

Acceptance of the Constitution, called the Constitution of 1791.

THUS ended that famous Assembly which united so much knowledge to so many errors, which was the cause of permanent good, but of great immediate evil, the remembrance of which will long serve as a pretext for attacks by the enemies of liberty.

Behold, say they, the result of the deliberations of the most enlightened men in France. But we may say to them in reply: consider what must be the situation of men, who, never having exercised any political right, find themselves all at once in posession of that which is so ruinous to every one—unlimited power: they will be long before they are aware that injustice suffered by any individual citizen, whether a friend or enemy of liberty, recoils on the head of all; they will be long before they understand the theory of liberty, which is so simple when one is born in a country where the laws and manners teach it, so difficult when one has lived under an arbitrary government in which every thing is decided by circumstances, and

principles always rendered subservient to them. Finally, at all times and in every country, to make a nation pass from the government of a court to the government of law is a crisis of the greatest difficulty, even when public opinion renders it unavoidable.

History should then consider the Constituent Assembly under a double point of view: the abuses which it destroyed, and the institutions which it created. Under the former it has great claims on the gratitude of mankind; under the latter it may be reproached with the most serious errors.

On the proposition of M. de la Fayette, a general amnesty was granted to all those who had participated in the King's journey, or committed what could be called political offences. He obtained likewise a decree, enabling every individual to leave France, and return, without a passport. The emigration was already begun. In the next chapter I shall point out the distinction between the emigration prompted by political views, and that unavoidable emigration which was of later date. But that which should fix our attention is, that the Constituent Assembly rejected every measure proposed to it that would have impeded civil liberty. The minority of the *noblesse* was actuated by that spirit of justice which is insepa-

rable from disinterestedness. Among the deputies of the *Tiers Etat,* Dupont de Nemours, who survived in spite of his courage, Thouret, Barnave, Chapelier, and so many others who fell the victims of their excellent principles, certainly brought none but the purest intentions into their deliberations; but a tumultuous and ignorant majority carried their point in the decrees relative to the constitution. There was a sufficient store of knowledge in France in whatever related to the judicial branch, and the details of administration; but the theory of powers required more profound information. It was thus then the most painful of intellectual spectacles to see the blessings of civil liberty committed to the safeguard of a political liberty that had neither moderation nor strength.

This ill-fated constitution, so good in its foundation, and so bad in its superstructure, was presented to the acceptance of the King. He certainly could not refuse it, as it put an end to his captivity; but the public flattered itself that his consent was voluntary. Fêtes were held as if for a season of happiness; rejoicings were ordered, that people might persuade themselves that the danger was over; the words King, Representative Assembly, Constitutional Monarchy, corresponded to the

real wishes of all the French. They thought they had attained realities, when they had acquired only names.

The King and Queen were entreated to go to the opera; their entrance into the house was the signal for sincere and universal plaudits. The piece was the Ballet of Psyche; at the time that the furies were dancing and shaking their flambeaus, and when the brilliancy of the flames spread all over the house, I marked the faces of the King and Queen by the pale light of this imitation of the lower regions, and was seized with melancholy forebodings of the future. The Queen exerted herself to be agreeable, but a profound grief was perceptible, even in her obliging smile. The King, as usual, seemed more engaged with what he saw, than with what he felt; he looked on all sides with calmness, one might almost say with indifference; he had, like most sovereigns, accustomed himself to restrain the expression of his feelings, and he had perhaps by this means lessened their intensity. After the opera, the public went out to walk in the *Champs Elysées*, which were superbly illuminated. The palace and garden of the Tuileries, being separated from them only by the fatal Square of the Revolution, the illumination of the palace and garden formed an

admirable combination with that of the long alleys of the Champs Elysées, which were joined together by festoons of lamps.

The King and Queen drove leisurely in their carriage through the midst of the crowd, and the latter, each time that they perceived the carriage, called out: *Vive le Roi!* But they were the same people who had insulted the same King on his return from Varennes, and they were equally incapable of accounting to themselves for their applause as for their abuse.

I met in the course of my walk several members of the Constituent Assembly: like dethroned sovereigns, they seemed very uneasy about their successors. Certainly all would have wished like them that they had been appointed to maintain the constitution, such as it was; for enough was already known of the spirit of elections, to prevent any sanguine hopes of an amelioration of affairs. But people were rendered giddy by the noise that proceeded from every quarter. The lower orders were singing, and the newspaper venders made the air recho with their loud calls of *La grande acceptation du Roi, la constitution monarchique*, &c. &c.

The Revolution was apparently finished, and liberty established. Yet people looked around on each other as if to acquire from their neigh-

bours that security which they did not possess themselves. The absence of the nobility was calculated, more than any thing, to shake this security; for monarchy cannot exist without the participation of an aristocratic body, and, unfortunately, the prejudices of the men of family in France were such that they rejected every kind of free government: it is to this great difficulty that we are to attribute the most serious defects of the constitution of 1791. For the men of rank and property offering no support to liberty, democratic power necessarily acquired the ascendency. The English Barons, from the time of *Magna Charta*, have demanded rights for the Commons conjointly with rights for themselves. In France, the nobility opposed these rights when claimed by the *Tiers Etat*, but being too weak to struggle with the people, they quitted their country in a mass, and allied themselves with foreigners. This lamentable resolution rendered a constitutional monarchy impracticable at that time, for it destroyed its preserving elements. We proceed to explain what were the necessary consequences of emigration.

END OF VOL. II.

C. Baldwin, Printer,
New Bridge-street, London.

00036907

Digitized with financial assistance from the
Government of Maharashtra
on 05 January, 2016